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HISTORY

OF ENGLAND

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A HISTORY OF ENGLAND,
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A
HISTORY OF ENGLAND
FROM 1760 TO 1798 A.D.

BY

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LONDON: W. B. CLIVE & CO.,
UNIV. CORR. COLL. PRESS WAREHOUSE,
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THE EIGHTEENTH CENTURY.

"In the eighteenth century, there was less disproportion between the different Powers than Europe had witnessed [since the theory of the Balance of Power had become a great force]. The preponderating nation being insular and essentially maritime, had no other interest on the Continent than to maintain the system of balance. It was this consideration which determined her conduct in the three wars between the Western States of the Continent. Austria, already mistress of the greater part of Italy, might have destroyed the Balance of Power: England, her ally, allowed her to be deprived of Naples, which became an independent kingdom. France tried to annihilate Austria: England saved the existence of Austria, but permitted Russia to weaken her and to become her rival. Austria and France wanted to wipe out Prussia. England succoured her as she succoured Austria, directly through subsidies, and indirectly by her maritime war with France.

"On the sea and in the Colonies, the Balance of Power was disturbed by England. The contest for the possession of colonies, which is one [Prof. Seeley would say *the* chief] of the characteristics of the century, gave her an opportunity of ruining the navies of France and Spain, and of claiming a vexatious jurisdiction over neutrals. [Chap. II., § 21.]

"A wholly unexpected revolution shook this colossal Power to its foundations: the most important of her Colonies escaped from the grasp of England. But she opposed a bold front to all her enemies; she founded in the East an Empire as vast as that which she had lost in the West; and she remained Mistress of the Seas.

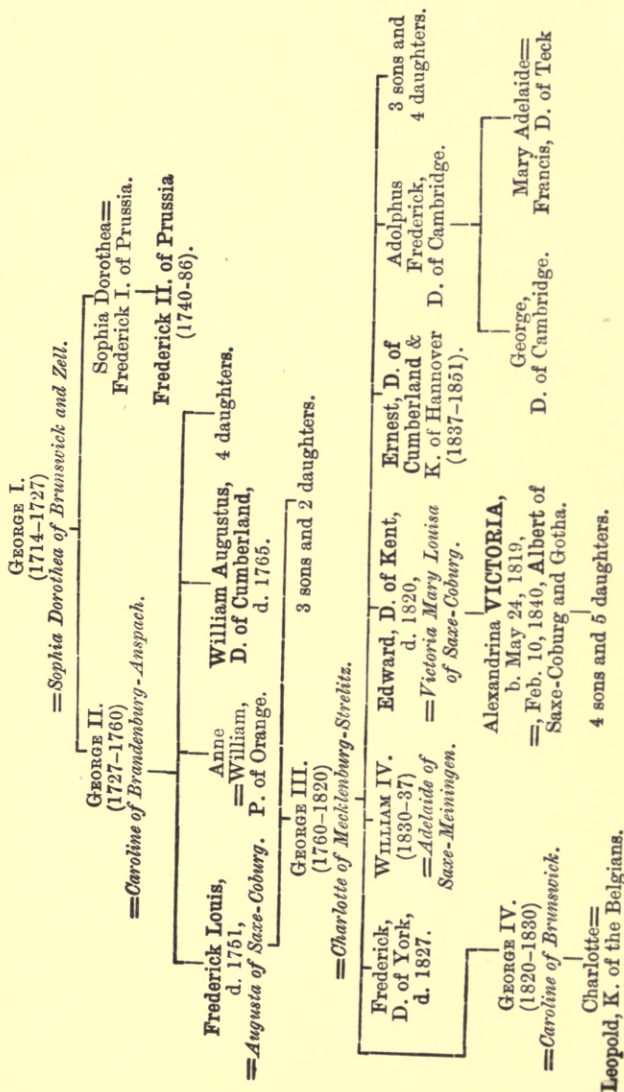
"Russia grew stronger, both through her internal development and through the anarchy of her neighbours. She long kept up a perpetual agitation in Sweden; she plundered Turkey, swallowed up Poland, and advanced into Europe. The political system of the Northern States became more and more amalgamated with the Southern and Western States; but it was only the revolutions and bloody wars which broke out at the end of the century which united into one system all the States of Europe."—*Michelet*.

Chief European Sovereigns, 1760—1800.

vii

PAPACY.	EMPIRE.	PRUSSIA.	FRANCE.	SPAIN.	RUSSIA.	TREATIES.
BENEDICT XIV. (1740).	[Maria Theresa, <i>Q. of Hungary</i>]. CHARLES VII. [<i>of Bavaria</i>] (1742). FRANCIS I. [<i>of</i> <i>Lorraine</i>] (1745).	Frederick II, <i>the Great</i> .			ELIZABETH (1741).	<i>Aix-la-Chapelle</i> (1748).
CLEMENT XIII. (1758).				FERDINAND VI. (1746).		<i>Paris & Huberts-</i> <i>burg</i> (1763).
CLEMENT XIV. (1769).	JOSEPH II. (1765).			Charles III. (1759).	PETER III. & Catharine II. (1762).	<i>First Partition</i> <i>Tr.</i> (1772).
PIUS VI. (1775).	LEOPOLD II. (1790). FRANCIS II. (1792).	FREDERICK WILLIAM II. (1786).	LOUIS XVI. (1774).	CHARLES IV. (1788).		<i>Versailles</i> (1783).
			Republic, 1793.		PAUL I. (1796).	<i>Second Parti-</i> <i>tion Tr.</i> (1793).
		FREDERICK WILLIAM III. (1797). FREDERICK WILLIAM IV. (1840).				<i>Third Partition</i> <i>Tr.</i> (1795).
						<i>Campo Formio</i> (1797).
						<i>Lunéville</i> (1801).
PIUS VII. (1800).	Takes title <i>Em-</i> <i>peror of Austria</i> . (1806).		NAPOLEON I., <i>Emperor</i> (1804).	FERDINAND VII. (1808).	ALEXANDER VI. (1801).	<i>Bassein and</i> <i>Amiens</i> (1802).

The House of Brunswick or Hannover.



NOTE.—The years within brackets give regnal years; important names in dark type; English Sovereigns in capitals.

HISTORY OF ENGLAND, 1760—1798.

CHAPTER I.

INTRODUCTORY.

I. Constitutional History of England to 1760.—§ 1. The beginnings of English Unity; *Feudalism*, the *County Court*, and *Parliament* (1295).—§ 2. The Commons in the Thirteenth Century; Rise and Meaning of the *New Monarchy*.—§ 3. The Church-State of the Middle Ages: Causes of its Dissolution.—§ 4. Church and State under the Tudors; Rival Creeds for the English Church.—§ 5. Four Stuart Problems.—§ 6. Religious Parties and the Civil War; the *Protectorate* (1653–59).—§ 7. The *Restoration* (1660); *Nonconformity* and the “Clarendon Code”; Charles II. and the Exclusion Bill.—§ 8. James II. and the Protestant Revolution of 1688; the Wars of English and Spanish Succession, 1688–1713; the first two Guelphs and the Pretenders.—§ 9. Party Government and the *Cabinet*.

II. International History of England to 1760.—§ 10. The Roman Empire and Christianity; the Division of the Empire into East and West (c. A.D. 400).—§ 11. The Growth of Kingdoms in the West; the *Holy Roman Empire* and its rival heads—Pope and Emperor.—§ 12. The Political Forces of the Sixteenth Century; the *Reformation* and its Effects on the European State-System.—§ 13. The *Thirty Years' War* and the Extension of France under Louis XIV.—§ 14. Louis XIV. and William of Orange from the *Treaty of Nimuegen* to the *Peace of Utrecht* (1678–1713): the *Wars of the English* and of the *Spanish Succession*.—§ 15. The Peace Policy of Walpole; the *War of Austrian Succession* (1740–48) and the *Seven Years' War* (1756–63).

I. Constitutional History of England to 1760.

§ 1. The Teutonic tribes who, under the names of English, Saxons, and Jutes, settled during the fifth century in what had been the Roman province of Britain, formed themselves into petty kingdoms extending from the Firth of Forth to the Isle of Wight.

How England
became one.

Soon after they emerged into the light of history they were converted to Christianity by various means; and before the end of the seventh century England was the name of a Church governed in the main from Canterbury. The new religion was the first force that tended to union; the second, growing up under the shadow of the unifying Church, was the national Kingship, developed in meeting the new invasion—that of the Danes. This Kingship may be said to have fairly established itself when Athelstan (924–941), having subdued the Danes, called himself “King of the English” and “Emperor of all the Britons.”

Feudalism, which grew on the Continent to such formidable proportions, never had in England the same chance as in the wrecks of the Carolingian Empire. Feudalism. It is true that the weaker “commended” themselves to their stronger neighbours, that kings became “father and lord” to their subjects, and that, later, Norman lawyers, in their attempts to understand and simplify the confusion of English manorial usage, interpreted many customs, such as “suit and service” and the payment of the “heriot,” as elements of a feudal land-law; but English kings, by establishing a firm system of national justice, prevented the growth of such independent jurisdiction as existed in France and Germany.

From the tenth century onwards, mainly owing to the efforts of foreign kings,—Danish, Norman, and Angevin—Angevin England. the names most worthy of mention are Canute, William I., Henry II.—the central Kingship grew, drawing to itself power—political, financial, judicial—until the system culminated in that union of central and local authority which has been called the Angevin shire-moot, or county court. When the member of the King’s *Exchequer*, or *Curia Regis*, known as the itinerant justice, presided in the meeting of the county, assisted by the sheriff and attended by all the freemen of the shire, and inquired into matters fiscal, military, and judicial, we can see in such an assembly the embryo of the two institutions which we regard to-day as the chief elements of our English Constitution—the Grand Jury and the House of Commons. The system of “inquest by jury” was forced by foreign kings on our forefathers, who learned all unwillingly—because they were always

connected with the transfer of money from the individual to the State—the legal methods of which we are so proud to-day. Good kings, like Henry I. and his more famous namesake and grandson of Anjou, moulded the minds of Englishmen, and hardened them into legal ways so thoroughly that, when reckless and incapable kings like Richard I. and John abused the system that they had inherited, the lawyer nobles of the North found nothing better fitted to curb the arbitrary nature of their government than a charter (the famous *Magna Carta*) binding the King henceforth to keep to the laws thus evolved.

The conflict between the Kingship and the nobility which centred round the Great Charter lasted for eighty years (1215-1295), and gave rise to many experiments in constitution-making: the first, which appears in *Magna Carta* itself—the right of an assembly of feudal tenants-in-chief to limit the resources of the Crown—was never seriously attempted, being abandoned by its authors within the twelvemonth; and the second great experiment, that of the *Provisions of Oxford*, also fell with the death of Leicester (Simon de Montfort) in 1265. The various interesting experiments of Edward I. are too detailed to be mentioned here.

The final solution, which appeared before the death of the first Edward, was quite different from anything foreseen in 1215, because, during the years of conflict, institutions had grown into political consciousness and importance, as all over Europe so also in England, which required consideration in the final scheme. The Parliament of 1295—the most famous of Edward I.'s experiments, and the Parliament from which lawyers date the existence of the outline of our modern Constitution—contained, besides the great barons, both lay and spiritual (earls, bishops, abbots, &c.), representatives of the counties, cities, burghs, and of the inferior clergy.

§ 2. From 1295, the contest is not simply between King and Barons, as heretofore, but between King, Barons, and the Third Estate—viz., the representatives of the lay communes or communities, counties and towns. The Barons attempted to

The Commons
in the
Thirteenth Century.

set aside both King and Commons in 1310 by the famous *Ordinances* of that year: Richard II. attempted to abolish the privileges of both Barons and Commons at the Parliament of Shrewsbury in 1398. The first attempt was overthrown by Edw. II. in 1322, the second by the Duke of Lancaster in 1399: in each case the result was an alliance between the Kingship and the Third Estate. In the fourteenth and fifteenth centuries, therefore, we find the House of Commons apparently growing in strength: they gain a certain control over the royal revenue; they evolve the right of impeachment (1376); they are called to assist in depositions and elevations of kings (1327 and 1399). But it is important to note throughout that the evolution of their power follows on the lines of the shire-moots out of which they grew, and of which they may be regarded as, by representation, the accumulation. As the juries of the shire-moots assessed taxation, tried criminals, defined the armour of each citizen, so the House of Commons voted taxes, accused great "criminals"—*i.e.*, statesmen who were opposed to their views—and regulated the defence of the country. What the shire-moot had been able to do, that the House of Commons could do likewise: what exceeded the powers of the shire-moot exceeded also the powers of Parliament.

But the mediæval Constitution was always at the mercy of the great nobles: indeed, it is remarkable that the House of Commons never put forth its power except at the instigation of the King or some powerful noble in opposition. Thus when, owing to the miserable failure of the Lancastrian foreign policy and the loss of France (1450), the civil wars broke out which took for their excuse the rival claims of cousins to the throne, and which are known as the *Wars of the Roses*, the mediæval Constitution completely collapsed. After a period of violence, during which Parliament was overawed alternately by the rival factions, and made to pass laws (of *attainder*) condemning the defeated party to political death, the institution disappeared as a living force, and the popular monarchy of the Tudors took its place.

The point of change may be found by a glance at the reign of Henry VII. (1485–1509). During the first twelve years

of this reign, six Parliaments were held: during the last twelve, only one. In the Tudor period, Parliament lost control over taxation because it was hardly ever asked for: Tudor kings found other ways of meeting their expenditure, such as "benevolences" or enforced presents, forced loans which were not repaid, plunder of monasteries and the savings banks of the poor, feudal dues, and judicial fines. By keeping down the expenditure, avoiding foreign complications, and steering clear especially of war, the Tudor kings realized the long-cherished ideal of "living of their own," and did not burden their people. During the century of their "dictatorship"—as it has been called because of its likeness to the rule of early dictators at Rome—Parliament was regarded as an institution to be called in only at rare intervals, to solve some extraordinary problem that may have arisen, and to "settle" things for ever "on sure foundations." Thus Henry VIII. used Parliament to separate the Church of England from its connexion with Rome; Edward VI.'s advisers used it to "settle" the religion of the newly enfranchised National Church—of course, without anticipating the next "settlement" of Mary, who in turn did not, of course, foresee the "settlement" of Elizabeth; Elizabeth used Parliament to "settle" the vexed question of pauperism, and to forge weapons against Mary, Queen of Scots, and her Catholic supporters, but never to provide against invasion.

And thus, over against the Mediæval Constitution, wherein Parliament was a constant factor with certain continually urged privileges, stood the Renaissance Constitution, with its occasional Parliaments, its ever busy "Privy Council, its magistrates, and all who bear authority," such as we find in the Tudor Litany of our Prayer Book.

And just as the popular Kingship had superseded the Parliament, so the Privy Council to a large extent superseded the Jury, the prototype of the Parliament. The Calendars of State Papers reveal the constant and far-reaching work of the Tudor Council: juries dared not give verdicts against the Government, officials were protected, and the ordinary process of law set aside in favour of Star Chamber prosecutions and interrogations before the Council.

The Mediæval
and the
Renaissance
Constitutions.

§ 3. But the most important change in the Constitution which the Tudors effected was the revolution in the position of the National Church. We have seen how England was at first a Church—*i.e.*, the population of this country was organized as a whole under bishops and priests, ruling their dioceses and parishes just as much as Queen and Parliament now rule the country : the Church had its system of law, which was universally administered, and which took cognizance of all cases. We have seen how the Kingship grew up under the shadow of the Church, and also developed its jurisdiction : it is clear that at some time these two systems of law, these two governments, the ecclesiastical and lay, must come into conflict.

For a long time, neither in Europe nor England did men perceive the inevitable rivalry : the eleventh century, with its various ideals, developed the controversy. The quarrel was twofold : the appointment of the officers of the Church—especially the bishops in their twofold character of spiritual pastor and landed proprietor—and the question of jurisdiction. The crises in the first, so far as England was concerned, were the quarrel between Henry I. and Anselm, and the quarrel between John and the Pope. Further stages in the conflict are marked by the *Statutes of Provisors*, by which the Parliament, stepping into the quarrel—especially under Lollard influence—attempted to prevent the Pope's appointment of foreigners to English livings. The second quarrel, that of jurisdiction, had its rise in the separation of the bishops from the machinery of the shire-moot, which William I. effected. In Henry II.'s reign the quarrel broke out on the question of jurisdiction over criminous clerks, wherein the King and Archbishop took opposite sides, contending for the jurisdiction, respectively, of the lay and ecclesiastical courts. Into this quarrel, as into that of the investitures, as the question of appointment was called, the Pope entered as a third party, and the *Statutes of Præmunire* were directed against the exercise of papal jurisdiction in England.

These questions and differences between England and Rome, between clergy and laity, were therefore not new in the sixteenth century. What, then, was new ? The failure of the Papacy to maintain the high ideal of its headship of Christendom ; the growing

Causes of the
Reformation.

dissatisfaction with its taxation over all Europe; the indignation against the wealth of the clergy, especially the regulars—*i.e.*, those in monasteries; above all, the discovery of the ancient Greek literature and the New World of America: these gave men other objects of thought and of pursuit than the Holy Catholic Church, which had till then been their only home.

§ 4. When Henry VIII., for reasons partly his own, partly Wolsey's, began, about 1527, to wish for a divorce which the Pope Clement VII. would not or dared not grant, the English Parliament was not unwilling to aid him in solving, in favour of the lay power, the problem of that strange triangular duel between the King, the Church, and the Papacy that had been one of the principal interests of mediæval England. The question of investiture was settled in behalf of the Crown: henceforth the English Sovereign has appointed the bishops of the National Church. The question of jurisdiction was solved in the like direction: the spiritual courts remained, but the Queen is "in all causes, and over all persons, within her dominions supreme." The regular clergy were entirely plundered of home and property; the secular clergy were also plundered, but less mercilessly; and the English Church, separating herself, even as the English State had done, from foreign connexions, passed under the control of the lay power.

The problem which remained to be solved was the creed of the national and independent Church, and the defence of the position finally taken up against the champions of the older faith. For the sixteenth century is the second period in the history of the Christian Church during which it has been torn by rival creeds. The memory of the first great conflict has almost died away except among students: the fourth century strife and the triumph of the Nicene Creed over Arianism are little known. But Protestant—whether Lutheran or Calvinistic—Anglican, Roman Catholic remain among us to this day: Christendom has never unanimously assented to any one of these systems. The sixteenth and seventeenth centuries saw their attempts to destroy one another—attempts destined

Church and State
under the Tudors.

The Creed of the
English Church.

to end in failure. This is the period of *Creeds*, of the *Confession of Augsburg*, of Calvin's *Institutes*, of the *Tridentine Decrees*, of the *Thirty-nine Articles*, and of the *Westminster Confession*. Which was to be the creed of the English Church? Henry VIII. tended in some measure towards Protestantism, but, after the Pilgrimage of Grace (1536), harked back; Edward VI.'s Protectors hurried it, with packed Parliaments, into extreme Protestantism; Mary restored the older Catholic faith; Elizabeth established that "mean between two extremes" which has ever since made it possible to dispute whether the English Church is Catholic or Protestant.

Then came the thirty years' conflict with Spain (1558-1588), which ended in the defeat of the Spanish Armada and the cessation of the long dread that had oppressed the minds of Englishmen. It was then clear that the Church and State called England could hold their own way independent of Europe, and the necessity for the dictatorship came to an end. If we might use the word Stuart to indicate a period rather than a family, it would be best to say the Stuart period began in 1588.

§ 5. What were the problems of the Stuart period? For in

Stuart Problems:

1. Religious.

this slight sketch we can do no more than indicate the problems and their solution. Firstly, there was the religious question. A large number of the English gentry had cordially embraced the extreme views of Continental Protestants, especially those of Calvin, whom they regarded as *the* teacher of the Gospel. But from his position there had been a reaction, named after a Dutchman whose Latinised name was Arminius; and the conflict between these two theologies explains much in the Stuart struggles. The laity and many of the inferior clergy clung to Calvinism: the bishops and the Court tended to Arminianism.

2. Ecclesiastical Jurisdiction.

This led, in the second place, to a continuation of the opposition between laity and clergy that had been one of the causes of the changes wrought by Henry VIII. Parliament came into collision with the ecclesiastical courts and the King who maintained them.

Thirdly, both the theological sympathies of the English Parliament and the family alliances of the Foreign Affairs. Stuarts drove King and Parliament alike into closer connexion with Continental affairs. But, though both parties were wanting to go to war, the Calvinistic leanings of the Parliament and the connexion with Catholic royal houses (France and Spain) which the Stuarts desired, led to mutual jealousies and suspicions.

Fourthly, the Stuarts brought from Scotland notions which were natural to a State where Roman Law had been adopted, and where the opposition to the Kingship was still that of mediæval barons, but which were totally out of place in the more parliamentary constitution of England. Kingship by Divine right was bound to come into conflict with a Parliament which was eager on theological-international questions, which looked back through a period of absolutism to a time when Parliament had freely talked, and which believed that the privileges then maintained had never been lost, but merely suspended.

§ 6. The Stuarts, James I. and Charles I., wished to use Parliaments as Elizabeth had used them: Parliament, finding that James and Charles did not follow the thoughts of the nation as Elizabeth had done, were anxious to control them, and dictate their policy. Finally, Scotland having revolted almost unanimously against the attempts of Charles and Laud to make changes in the ritual of the Church which were beyond the endurance of the Lowlanders, England too revolted against the absolutism in Church and State which Wentworth (Strafford) and Laud had introduced, and swept away the whole Stuart system. In the autumn of 1641 it seemed as if the attempt to prolong the Tudor dictatorship would pass away without further trouble. But the mutual suspicions of Court and Parliament, the Irish Insurrection, and the suspected treason of five members of the House of Commons made both parties anxious to obtain security; and over the question as to who should control the armed forces of the country the two parties drifted into civil war.

The war made both more angry, and brought forward the extreme men on either side. The question was a theological one, but, as the laity had found themselves oppressed by the bishops, they began to argue against episcopacy as a system. The more moderate preferred a system of government somewhat on the lines of the Scotch Church—Presbyterian, or government of each diocese by assemblies of clergy and laity instead of the single bishop. Others advocated an entirely different system of Church government, according to which each congregation was to manage its own affairs quite independently of any other: they were therefore called Congregationalists or Independents. They further differed from the other two systems in regarding as members of the Church not all the *baptised* inhabitants of a parish, but only those who had been “*converted*” and received solemnly into membership. Of course, persons with these ideas had been persecuted; and therefore most of them were either in Holland or New England when the war broke out between the Presbyterian Parliament and the Episcopalian King. But many of them then returned and joined those who had stayed at home; and, though still comparatively few, they were important enough to make their voices heard.

At first the war was conducted gently, the Presbyterian Parliament not being willing to press the King too hard; and even when the *Solemn League and Covenant* (Sept., 1643) had united the English Parliament with the Scotch Church, their united forces did not so thoroughly subdue the royal party as might have been expected. Cromwell, therefore, early in 1645, persuaded the Parliament to form an army on his model with new officers, and it was in this “new model” that Congregationalism found its weapon. It was composed of “godly” men and good soldiers; they were of all and every opinion, with quite a *furor* for holding prayer meetings and religious discussions. They agreed on almost no religious dogma: there were men of all sorts of religious opinions. Now, when this army saw that the question between the King and Parliament was merely whether Episcopacy or Presbyterianism was to be established in England—either of which would

Episcopacy,
Presbyterianism,
or
Congregationalism?

The Civil War,
1641-1653.

persecute them into conformity—they began that cry for religious liberty which then first made itself heard after thirteen hundred years of silence. The idea was expressed that *no* system of Church government should be established, but that every one should do as he pleased in matters of religion, and that the civil power had no right to interfere in the matter at all. The Army therefore was in dispute with the Parliament as well as with the King, and in the end it abolished both. The King was executed, and Kingship abolished in 1649: the Parliament was ejected, and all authority given to the General in 1653.

So the ancient Constitution of England came to an end.

The Protectorate,
1653-59.

The next seven years are full of interesting experiments made by the Army and its General at setting up absolutely *de novo* a Constitution, or form of government, of Church and State. It was a time fertile in political speculation and Constitutional devices.

"In the pamphlets of the period was mooted almost every idea which has made a mark in the political world of later days. The disestablishment of the Church, and the removal of religious disabilities; a single-chamber Republic; the sovereignty of the people; equal electoral districts; female suffrage; the abolition of rotten boroughs; the ballot; local government; law reform; freedom of the press; freedom of trade; the establishment of a national bank—are but a few of the schemes advocated. That none of these schemes were immediately realised is admitted, but it is hardly necessary to insist upon the immense importance of such a crop of ideas, regarded as an element in Constitutional History."*

But these ideas were for the most part much before their time; and the paper constitutions—whose earliest examples are the *Instrument of Government* and the *Humble Petition and Advice*—all failed except as maintained by Cromwell's strong hand, and when that hand was helpless in death the whole attempt broke down. The Army quarrelled; the Presbyterians once more took their seats in Parliament; and, through Monk's instrumentality, the Kingship was "restored."

* Professor Jenks' *Constitutional Experiments of the Commonwealth*, p. 5.

§ 7. But not the old Kingship: not the Kingship by Divine Right which James I. and Charles I. had maintained, still less the Tudor dictatorship, but a Kingship that was *new* because it governed necessarily in presence of a Parliament. And the Parliament thus "restored" was not the old Parliament: it soon developed a capacity for being bribed and otherwise managed by royal influence. Episcopacy was "restored" as the government of the English Church: but again not the old episcopacy that had claimed divine sanction, but an episcopacy of expediency—Protestant as the utmost Puritan could desire, and preaching absolute surrender to the lay power. So true is it that "Restoration is ever Revolution."

The Restoration,
1660

The Rise of
Nonconformity.

And among the new things of 1660 was *Dissent* from the Established Church. "Discontented Conformists" there had been at almost all times in the history of the Church: the Middle Ages were not free from theological discussion, and the Elizabethan Church was far from unanimous. Since Edward VI.'s reign there had been men who looked to Geneva rather than to Canterbury for their ideas, and these had had their day of triumph during the Commonwealth: now that the conflict in the English Church had been decided in favour of Episcopacy as against Presbyterianism or Congregationalism—in favour of the *Prayer Book* as against the *Directory of Public Worship* or absolute anarchy—some of the Presbyterians and Congregationalists refused to submit to the settlement and acknowledge their defeat. Just as at a later day the *Nonjuring* bishops refused to submit to William III. and the Georges, so now there were some who refused to submit to the *Act of Uniformity*, and were therefore called *Nonconformists*.

It was impossible, men thought, to have some clergymen using the Prayer Book, others denouncing it; to have some episcopally ordained, others despising such ordination. The officers of the Church, bishops and priests, must be of one mind. It was equally impossible that secular power should be entrusted to those who held opinions which they were bound officially to put down as illegal. From these principles came the four measures known as the "Clarendon Code."

These were directed, some against the church-officers, some against the laity amongst the Presbyterians and Congregationalists. The *Corporation Act* (1661), by using the ceremonial of the Holy Communion as a test, prevented the acquisition of lay offices by members of the defeated parties. The third, the *Conventicle Act* (1664), was likewise aimed at the laity by laying down penalties against all who attended a service held otherwise than as directed in the second and most important Act of the series, the *Act of Uniformity* (1662). This last had required from all clergymen of the Established Church full assent to everything contained in the Book of Common Prayer, and had thus driven nearly 2,000 ministers to resign their livings. The fourth Act, the *Five-Mile Act* (1665) forbade these ejected ministers from living near any of their late posts, and cut off from many their only means of livelihood: they were neither to teach nor to preach. And so it has the appearance of being spiteful, whilst the preceding measures are simply ecclesiastical illustrations of the party system which is known in American politics to-day by the cry, "the spoils to the victors."

Such was the Constitution of 1660: a King still governing England through ministers of his own appointing; a Parliament partly hereditary or nominated by the Crown, partly elected by the counties, cities, and towns; a Church Episcopalian and uniform, intensely loyal; and all the lower ranges of local governments and juries which were the product of ancient history. These forms commended themselves to the majority of the people because they seemed to offer security against the two things they dreaded—a second Puritan domination backed by a standing army, and a restoration of Popery, backed by persecution.

The King, Charles II., was a mystery to his contemporaries: we know him better now. He was a statesman, as distinguished from a doctrinaire.

Charles II.
1660-1685.

We had had an age of martyrs, men who lived and were always willing to die, sometimes died, for a cause—Charles I., Sir Harry Vane, Roger Williams, and others. Now we were to have an age of "Trimmers"—men who were content with possibilities and compromises.

Charles II. was one of these. At heart a Roman Catholic, he had begun life with taking the Scotch National Covenant, and afterwards came to the conclusion that "Presbyterianism was no religion for a gentleman." His wish was to convert England to his own faith, and he promised Louis XIV.—as in the *Secret Treaty of Dover* (1670)—in return for liberal subsidies, that he would work to that end; but then he was also determined "never to go on his travels again," and if the English people practically forced him to choose between Crown and religion, he chose the former.

The first step towards the restoration of England to the Roman obedience seemed to be to give freedom of worship to those who did not conform to the English Church. With this view, Charles in 1672 issued a *Declaration of Indulgence*. But his design was suspected, and early in the following year Parliament made him withdraw it. In like manner, Parliament would not support him in his war against Holland, when it saw that the object was not so much to injure that country as a commercial rival as to aid Louis XIV., who was taking the place of Spain as the Champion of Catholicism. And so the third Dutch war came to an end in 1674. Three years later Charles's minister, Danby, brought about a marriage between Mary, the eldest daughter of the King's brother James, Duke of York, and her cousin William of Orange, the young Stadtholder of the Netherlands, and so paved the way for that close alliance between "the two Maritime Powers" which lasted for over sixty years (chap. II., § 20), and ended by strengthening England on the sea at the expense of Holland.

The childlessness of Charles II.'s wife made it certain that his brother, an avowed Papist, would succeed him; and so it seemed all the more important to secure at least a chance of an eventual Protestant succession. The people of England evidently had a new problem—whether a Roman Catholic King was possible with a Protestant Parliament, and, if so, on what terms. It was a *new* problem, for the Tudor sovereigns had in all their religious oscillations found no serious opposition in their Parliaments, and, when there did seem any risk of such opposition, they packed Parliaments by

Catholic King

v.

Protestant
Parliament.

creating small boroughs to return Court nominees. Charles could neither buy electoral or parliamentary votes enough to carry his point: the very Parliament, which, from the number of dignities, pensions, and sinecures distributed amongst its members, became known as the *Pension Parliament* (1661-1678), passed a *Test Act* in 1673, one effect of which was to shut the Duke of York, as a Roman Catholic, from office, introduced at least two *Protestant Securities Bills*, aimed against him, and in its last year all but excluded him from sitting in Parliament.

The Parliament which followed it (1679), elected in the midst of the fearful panic which Titus Oates' stories of a Popish Plot had created, was still more hostile. It passed the

The *Exclusion Bill*,
1679-81.

Habeas Corpus Act, but was soon dissolved for proposing to exclude James from the Throne; and it seemed so probable that Charles's fourth Parliament, which was elected before the year was out, would carry through this proposal, that the King did not call it together for a year. From this delay arose a wild agitation headed by Shaftesbury, which gave us the party names which, after many a change of meaning, we still have with us. Those who petitioned for the assembling of Parliament were dubbed "Whigs" (sour Scotch Covenanters) by those who "abhorred" the Exclusion Bill, who, in turn, were mocked at as "Tories" (Irish Papist freebooters) by their opponents. These new names signified, in fact, that new questions had arisen between the children of the "Roundheads" and the old "Cavaliers." When at last, in October, 1680, Parliament did assemble, the Commons passed the Bill, but the Lords were persuaded by Halifax to reject it; and the violence of the Whigs at the following Parliament—the famous *Oxford Parliament* of March, 1681—created such a dread of a second Civil War, that Charles felt it safe to dismiss his Parliament and rule the remaining four years of his life without one. This period was marked by some other unconstitutional acts; but the complete breakdown of the Whigs, who followed up their open violence by secret plotting, and the quietude of the kingdom were both calculated to encourage the Duke of York in his designs, when, in February, 1685, he came to the Throne as James II.

§ 8. James hardly needed such encouragement as this and the crushing defeat, four months after his succession, of his rival, Monmouth—illegitimate son to Charles II., and popular hero. He was not a man of compromise, but of intense narrow convictions: what his brother had been content with *wishing*, he was resolved on *doing*. At all costs he would restore his kingdoms to the Roman obedience. In Ireland he had no difficulty: his old bully Tyrconnel soon replaced the King's brother-in-law Clarendon in the deputyship and quickly made Roman Catholics supreme there. In Scotland he tried to temporise by indulging the Presbyterians. In England he early showed that for office and favour none but Roman Catholics need apply. At first he petted the Established Church, but soon revived (illegally) the Court of High Commission to discipline it to his ways; while he courted the favour of the Protestant Nonconformists by proclaiming the principle of religious toleration. But the Nonconformists looked askance at boons coming from an enemy and based on the unconstitutional use of the prerogative; and Churchmen were driven to throw overboard their pet doctrine of non-resistance to save their vessel. Every one rejoiced at the acquittal of the Seven Bishops whom James had endeavoured to punish for their humble petition against his *Declaration of Indulgence*, and every one was resolved that the long-expected son and heir born to James during the trial was an imposture. This was in June, 1688.

Five months later, William of Orange, James' son-in-law, (§ 7) landed in the West with a Dutch army to maintain his wife's claims against the suspected child, and to protect the religious and political institutions of England. He had been invited "to come over to help us," and so well was he supported that James, after a strange mixture of vacillation and obstinacy, fled to his protector of France. What was to be done? This was the question which William had to put to the Convention—a Parliament in all but the royal summons—which gathered at Westminster early in 1689. Some wanted to restore King James on conditions; some thought to save their conscience by retaining him as King in name, while

James II.,
1685-1688.

The *Declaration
of Right*,
Feb. 13, 1689.

entrusting the actual government to William; some wished to regard James as practically dead—which would make Mary Queen; and some were willing to choose William King. After much debate, it was found expedient not to have a “Papist on the throne,” and it was allowed that the throne was “vacant”: the result was that William and Mary were chosen as joint sovereigns.

But only on condition of accepting the *Declaration of Right*, which asserted—

That the pretended suspending power, and the dispensing power “as it hath been assumed and exercised of late,” are illegal; that such courts as the Court of High Commission are illegal and pernicious; that levying of money by pretence of prerogative, without grant of Parliament, for longer time than the same is granted, is illegal; that it is the right of subjects to petition the King; that the raising or keeping a standing army within the kingdom, in time of peace, unless it be with consent of Parliament, is illegal; that elections of Parliaments ought to be free; that the freedom of speech or debates in Parliament ought not to be impeached or questioned in any court or place out of Parliament; and that for the amending, strengthening and preserving of the laws, Parliaments ought to be held frequently.

Such, formally, was the Revolution which reversed the decision of 1681, and which has been called “glorious” and “Protestant.” As an incident it does not appear very striking, but it nevertheless marks an epoch in our history. The change in the line of succession effected thereby, and supplemented by the *Act of Settlement* (1701), was mainly important because it rested on the authority of Parliament. And so, after 1688, Parliament, whose existence had been assured by the Civil War, comes more and more to the front: not content with mere criticism, it aspires also to govern. Some of the consequences of this we shall see in the following section.

The Revolution was “Protestant,” because its effect was to limit the Crown to Protestants, because it was brought about to succour what, then at least, regarded itself as a distinctly Protestant Church, and because one of its first works was to extend toleration to Protestant Nonconformists. William’s attempts “to comprehend” them within the Church broke down (1689), and by the *Toleration Bill* it

became legal to disobey the State in so important a matter as religion. And, save for a moment at the end of Anne's reign, marked by the *Schism* and *Occasional Conformity Acts*, this spirit of religious toleration has been ever deepening, until in our fathers' times it reached even the hated Papist and Socinian, and until in our own day the touch of contempt in the word "toleration" is passing away. The refusal of Parliament in 1695 to renew the Censorship of the Press shows a similar spirit. Within certain limits, a man might worship God according to his conscience, and print and publish what he felt and thought. True, if he overstepped the boundary, he had to take the consequences: but then that boundary was almost always spreading.

Much that took place in the period 1688-1760 will be more conveniently noted later on (§15). During the reigns of William and Anne (1689-1714) two great wars were fought with Louis XIV., the first headed by William himself, and the second by Marlborough, in which we won much glory in Europe and broad lands beyond the seas; and a Legislative Union was effected with Scotland, whereby one Parliament came to assemble at Westminster on the summons of the Sovereign of *Great Britain* (1707). The reigns of the first two Georges—members of that Hanoverian line which Parliament had called to the throne as the nearest Protestant descendants of James I.—were characterized by some confused warring in which Great Britain became entangled, sometimes on her own account, as in the Spanish Wars of 1739, sometimes through her connexion with Hannover, whose Electorate was the chief treasure of our early Guelph kings. There were also further attempts on the part of the Stuarts to win back their inheritance, the most prominent of which took place in 1715 and 1745-6. But the incapacity or dishonesty of the "Jacobites," as the upholders of the "king over the water" were called, ruined the cause of the "Pretenders"—as the Whigs called James Edward and his son, Charles Edward, ingeniously mistranslating the French *Prétendant* (Claimant); and with the accession of George III. the old Vicar-of-Bray-like loyalty of expediency gave way to a genuine attachment to the new House.

Jacobites and
Guelphs,
1714-1760.

§ 9. But this and much else are all insignificant amongst the memorabilia of these years, compared with the silent changes in the mechanism of government. The theory of parliamentary sovereignty grew up from the ruins of the doctrine of Divine Right: little wonder that such a change of basis should involve changes in superstructure. The theory that the English kingship was of indefeasible hereditary right was "a royal dream, a clerical dogma, a University thesis, an antiquarian crotchet, a legal pedantry, a branch of political speculation; but it was never the belief of the English nation."* It was, like the Tudor Dictatorship of which it was a development, acquiesced in so long as it did not conflict with the deeper feelings of the bulk of the nation: but, already shattered in the Civil War, it fell beyond recall in 1688. But, if the "royalist superstition" had gone, the "monarchical sentiment" remained; and the question for the Revolution statesmen was how to co-ordinate this with the ever-increasing activity of Parliament.

The answer was not given by one man or at one moment, but gradually and reluctantly shaped itself, something after this fashion. The King had been "always" limited in his use of the *legislative* and *taxative* powers by the Common Council of the Realm—be it called Witenagemot, Great Council, or Parliament; while, since the Conquest, at least, he had had always with him a body of advisers—many of whom sat also in the National Council—to help him in the *executive*. This *Ordinary* or *Continual Council* had varied at different times in composition and numbers, and in real as well as in theoretical powers. During the Lancastrian period it had been the means whereby Parliament, then at the height of its first stage of prosperity, had caused its will to be carried out; while in the early days of the New Monarchy it drifted back once more into the absolute control of the Sovereign, and had, under the name of the *Privy Council*, attained a great complexity of organization, as well as enormous and arbitrary

* F. H. Hill in Article on *The Future of English Monarchy*; Contemp. Rev., Feb., 1890.

judicial powers, in its exercise of which it was known as the *Court of Star Chamber*. This irregular jurisdiction was swept away by the Long Parliament, but the Privy Council survived the attempt to make it an assembly of parliamentary nominees, and was one of the institutions "restored" in 1660. But, as Charles II. shrewdly observed in 1679, "the great number of this Council made it unfit for the secrecy and despatch that are necessary in many great affairs"; and so the King got into the way of doing the actual work of government with the two or three of his servants whom he most trusted, and who were known as a "cabal," or "cabinet council." The substitution for the known and respected Privy Council of an unknown and unconstitutional body like this, was viewed with great suspicion by the best statesmen of the day; and in 1679 Sir William Temple was allowed to try his scheme for restoring the Privy Council and putting it into a workable form. The scheme failed completely; and so we went on till the Revolution with, perhaps, a King who wanted one thing, Ministers who each wanted something else, and a Parliament which wanted yet other things.

This infinite possibility of complications and cross-purposes might make a very good game, but was hardly likely to result in a firm government.

The *Cabinet Council*.

Somehow King, Ministers, and Parliament must pull together. Under the Tudors this had been managed by the first two working in harmony, and dragging the Parliament after them. The Stuarts had tried to do likewise, and had thereby twice earned banishment from home and throne. That solution was out of date; for after 1689, the greater part of the royal revenue and the military power vested in the Crown by the *Mutiny Bill* were doled out annually by Parliament, and might in theory be withheld if used otherwise than as Parliament willed. The King, in fact, was only to act by the advice of his Ministers, and these Ministers must be responsible to Parliament.

By 1760, this principle had won practical acceptance: *the Ministers should be of one political party, and that party should be the one for the time being predominant in Parliament*. King and Parliament kept in touch with one another by means of an united Ministry in the confidence of

both Crown and Parliament. The "Cabinet"—with its marks of (1) political unanimity, (2) unity of responsibility to Crown and to Commons, and (3) concert in action*—was neither invented nor accepted in one day. William III. strove hard to use the best members of both parties, but was driven by the dissensions of his Ministers to take Sunderland's counsel and the Whig "Junto" for his only advisers (1693-7). Anne, or rather Marlborough, was forced to do the same with the Whigs (1708-10), and with the Tories for the rest of her reign. Hence some see in William's reign, some in Anne's, the beginning of what we know as the *Cabinet*—a government based on the will of the majority in the Commons (Chap. II., § 1), enforcing itself by means of a committee of its members. But the change, though too vast to be fully understood at the time, was bitterly opposed. The Tories made a great effort in the *Act of Settlement* (1701) to set the Privy Council on its legs again, but the clause which provided that, after the accession of the House of Hannover,

"All matters and things relating to the well-governing of this kingdom, which are properly cognisable in the Privy Council by the laws and customs of this realm, shall be transacted there,"

was repealed four years later. Only ten years afterwards, Peterborough described the Privy Council as a body "who were thought to know everything and knew nothing," and the Cabinet Council as those "who thought nobody knew anything but themselves." The former was a fond memory, the latter a living fact which, mainly through Walpole, made itself accepted as such during the following half-century.

George I. and George II.—Germans frankly ignorant of English politics—relied wholly on the Whigs who had brought them to the throne, and for fifty years Tories were almost entirely free from the cares of office. Ignorant of English, they could not join in the deliberations of their Ministers, and so left the Whig oligarchy

The work of
Walpole.

* See Mr. H. D. Traill's *Central Government* in the *English Citizen Series*, or, better still, Chap. VII. in Mr. John Morley's *Walpole in Twelve English Statesmen* (Macmillan).

to devise new forms of government in which the King tended to become a mere lay-figure. But not only was the choice of Ministers limited to the dominant party, but not even free there : twice George II. tried to hold by his one Minister who understood German politics, John Carteret, Earl Granville ; but both in 1744 and 1746 he was defeated, and the English Kingship thus received a blow from which, as Prof. Seeley thinks, it never recovered.

The Ministers in effect were to agree with themselves and with Parliament. This was finally settled by Walpole, who was the Crown's chief adviser with scarcely a break for twenty years (1721-1742). He would have no rivalries within the Cabinet, no colleagues pressing their fads on the King : and so he is known as the first *Prime Minister*—"the hyphen joining King to Cabinet, even as the Cabinet is the hyphen between King and Parliament." Since his day, the Cabinet, though unknown by name to our law and describable only as an informal committee of that dignified body the Privy Council, has been the leading fact in the Constitution. It has become very different from the *Cabal* which made itself so ill a name in Charles II.'s days : its deliberations are still secret, but its composition and continuance are as the Commons wish. It is mostly because he threw himself in the way of the development of the Cabinet on Walpole's lines that George III. seemed to Bagehot "a kind of museum of the defects of a constitutional king."

II. International History of England to 1760.

§ 10. In the years 323-325 A.D., the Roman Empire—
then under Constantine—and the Christian
Church united to form the Holy Roman
Empire, or the Holy Catholic Church. The
history of the institution thus brought into being is the
history of Europe. There had been a Christian Church free
and independent of the State, sometimes persecuted by it:
from the reign of Constantine the State protects and con-
trols the Church—it may even be said, State and Church are
identical. In the course of time, this state of things came
to be regarded as Divinely appointed, as the "Kingdom of

The Empire
and the Church.

Heaven" which Jesus of Nazareth had founded, and treatises were written to prove and maintain this position.

In the year 395, the Greek or Eastern part of the Roman Empire finally separated from the Latin or Western part. Henceforth they have a separate history: the Eastern became a Greek-Roman Nation-Church, with a territory whose defence against Mohammedans is part of the story of Europe; and whose fall in 1453 was a world-wide event in more senses than one. The Crusades are an episode in the history of the Byzantine Empire.

The abiding
division of the
Empire.

Western Rome had a different, perhaps stranger, course to run. It was, as we have said (§ 3), a Church-State. Its temporal power was thoroughly broken down by inroads of Teutonic tribes who, though they did not make a clean sweep of it anywhere save Britain, made a further fusion of its Roman-Christian elements with their Teutonic laws and customs. In other words, while the Roman *Empire* was dissolved out of the ancient society, the Roman *Church* and *Law* remained and coalesced with the Teutonic elements. It was this union of ecclesiastical Rome with lay Teutonia that created Western Europe. It developed, as in England (§ 1), so on the Continent, everywhere Kingships which served as centres for the tribes and embryo nations, until in A.D. 800 there was one great King, the Frankish Karl who ruled over all civilized Western Christendom, and who in this year was crowned Emperor by the Bishop of Rome. So was revived in the West the Roman Empire, and almost continuously henceforth till 1453 there were two persons claiming to represent the ancient Roman Empire—the Greek who ruled in Constantinople, and the German whose capitals were Aachen and Rome.

§ 11. But neither Catholic Church nor German-Roman Empire could keep order: every baron who

The Growth of
Kingdoms
in the West.

could build a fort and hold it, every bishop who could do the same, attempted to make themselves sovereigns. Some succeeded, some did not; and partly out of this, partly to check this, rose mediæval Kingships. There were Kings of Navarre, Castile,

Leon, and Aragon in Spain winning more and more territory as they pushed back the Moors, who in A.D. 711 had overthrown the ancient Gothic monarchy of the Peninsula; there were dukes in Paris who became Kings of the Franks—afterwards of France—and who gradually extended their rule over almost all that had been Gaul; there were Kings of Germany and Italy who ruled over what they could at different times control of those countries; there were Kings of the English, of the Scotch; there were Kings in Ireland. Thus we have four powers—the Empire, the Church, Kingship, and the confusion which has been called Feudalism (§ 1).

The first two at first worked together, but in the eleventh century the reformation of the Church worked out by Hildebrand (Pope Gregory VII.) and others emphasized the distinction between them, and led to a war *d'outrance* between the Emperors and the Bishops of Rome, in which the latter, under the name of Popes, obtained the victory, and became the recognised heads of the Holy Catholic Church.

Now it so happened that the Emperorship came to be connected with the Kingship of Germany and Italy in such a way that the man who was chosen King of the German nation claimed, as a necessary consequence, to be the lay head of the Holy Roman Empire. It followed therefore that, in the long conflict between Pope and Emperor, it was the policy of the Popes to ally themselves with the turbulent subjects of the Emperor both in Germany and Italy. And the further consequence of this was that Italy, instead of being a kingdom, was split up into petty city republics, duchies, &c., and remained disunited till our own days; while Germany, though retaining its elective King-Emperor, and having a name of unity, was, through the excessive weakness of its head, practically split up into duchies, great and small.

The mediæval quarrel of Pope and Emperor, therefore, explains the fact that, whereas we have in European history *Kings* of Aragon, Castile, and Portugal, of England and France, even Kings of Poland and Bohemia, Germany is always called *the Empire*—i.e., the fragment of the Holy

Roman Empire—while Italy is a “mere geographical expression.”

In theory any one might be chosen head, whether lay or spiritual, of the Holy Empire ; as a matter of fact, the Bishop of Rome, chosen since the middle of the eleventh century from among the Cardinals of Rome, was always the spiritual head in Western Christendom, while the King of Germany, chosen from among the princes of Germany, was always the lay head. Now it was necessary, since the Emperor, as such, had lost all territory and almost all power, that a powerful prince should be chosen, and from the fifteenth century the chief duke of Austria, of the family of Hapsburg, was always elected, because, with the growing power of that house—they added, generation after generation, to their family inheritance both German and extra German—they were the only princes able to maintain the imperial dignity.

§ 12. In the fifteenth century the conduct of the Christian Church by the Popes had excited much discontent in Europe, and there had been an attempt at another reformation, by reviving the early institution of Œcumenical (*i.e.*, universal) Councils ; but, in the struggle between the Popes and the Councils (similar in many respects to the struggle between a King and Parliament), the monarch of Christendom had triumphed, and the abuses of power which the assemblies had been designed to check remained and grew.

Thus in the early part of the sixteenth century we have, as the chief phenomena in Europe, a Papacy triumphant but tending to corruption, seeking not the interests of Christendom but territorial power in Italy ; a royal family in the kingdom of Spain, newly formed out of the marriage of the monarchs of Aragon and Castile, and this family connected so closely with the Dukes of Austria, that one young man, Charles, is presumptive heir to both houses. The Dukes of Austria hold, besides their home lands, Hungary, Bohemia, and the Burgundian inheritance—*i.e.*, the lands now called Franche-Comté, Alsace, and the Netherlands : all this *plus* the Empire. Besides these stand Kings of England, France, Scotland. Everywhere parliaments and councils have failed : we

The political forces
of the Sixteenth
Century.

are in an age of enlightened despots, who encourage commerce and pursue their family interests. It is the last stage of the mediæval Holy Catholic Church in its undivided splendour.

On the death of Maximilian in 1519, his grandson Charles, already lord of the Spanish possessions in Europe and the New World, entered into possession of his Austro-Burgundian inheritance. Thus there were already many causes of rivalry between him and Francis I. of France, and when, in the contest for the imperial crown, Charles defeated Francis, who entered as a candidate, the duel between them was the chief event in the European world: it filled Germany, France, and Spain, was fought out in Italy, and was the one international problem for England. But their wars are to us now of small importance compared with the politico-religious revolution that was in hand.

Two events had happened which for ever changed the mind of Europe. The Turks had in 1453 taken Constantinople and scattered the remnant of the Greek Roman Empire; the fugitives had introduced a new subject to the thoughts of Western Christendom, the Greek language and all that it contained—philosophy, the drama, the New Testament. And, secondly, in 1492 Christopher Columbus had discovered the New World, and had diverted the minds of the active from the Catholic Church to the riches of America. The mediæval system, which had seemed to embrace heaven and earth—was not the world Rome? and had not Dante called heaven “that true Rome”?—appeared so small both in physical and intellectual size.

Then came the attack on the abuses led by Martin Luther, and the system came down with a crash. Two effects of the Revolution are of concern to us—the theological sects, and the rise of new theocracies. It might be almost true to say that Christendom ceased, and instead of the *one* great theocracy, of which the kingdom had been consciously only parts, there were now *many* theocracies. The kingdoms of the Continent had had their quarrels with the Papacy in mediæval

Charles V. and
Francis I.,
1519–1547.

The events of 1453
and of 1492.

Some political
effects of the
Reformation.

times, just as the kingdom of England had had (§ 3): each had its triangular duel of Church, Pope, and King, and each had, at one time or other, threatened such a schism as Henry VIII. carried out in England. The Revolution emphasized these conditions. England, as we have seen (§ 4), quite separated from the ancient Catholic theocracy and became "Anglican"; some of the German princes and bishops became Lutheran or Calvinist; some became "Roman Catholic"; the Swiss cantons—little peasant republics that had grown up in the highlands of Germany—were divided in religion; the Netherland inheritance of the Hapsburgs was tending to Calvinism. The Emperor, the head of the German nation, took the side of the ancient theocracy, and thus added to the differences between him and his princes, as such, a quarrel between himself and the Protestants, and a century of war began in Germany and Europe, in which Lutheran, Calvinist, and Roman Catholic fought for mastery.

The result was various in each country. Spain was kept for Roman Catholicism; the Hapsburg kings there used the Inquisition to suppress all heresy, and were successful. In the Netherlands, which had, with Naples, Sicily, and the New World, been their share of the Hapsburg inheritance, they were not so successful: the whole of the provinces revolted, and the seven northern ones maintained their independence as a Calvinist confederation of republics, with a tendency to unite under the Stadtholdership, or elective presidency, of the House of Orange. Italy was still as divided as ever, but remained Roman Catholic. In Germany, the Hapsburgs, after a long struggle, restored Roman Catholicism in their hereditary dominion, though Hungarian Protestantism was long a trouble to them; but the Hapsburgs, as Emperors, in their endeavour to suppress Protestantism in Germany, only added to the divisions of that country. France, after first playing with the new theology, and encouraging the Protestant princes of Germany, as she encouraged the still warlike Turks against the Emperor, for her own purposes, at last fell a prey herself to religious civil war, from which she emerged only when her king, Henry of Navarre, himself trained as a Huguenot, renounced his religion to gain his crown.

The outcome of the
Religious Wars.

§ 13. At the beginning of the seventeenth century, it seemed as if peace were at last obtained for Europe, and as if the wars of the Reformation were over; but a dispute in Bohemia between the Hapsburgs, who wanted to make the Crown of that country hereditary in their own family, and the Protestant nobles, who, fearful of what a Catholic Sovereign might do, wished to keep it elective, renewed the religious warfare and set Germany in a blaze. The cause of the Protestant princes against the Emperor was maintained at first by the King of Denmark, then by the King of Sweden (the famous Gustavus Adolphus), and finally by France, who, under the leadership of Cardinal Richelieu, was feeling her way towards vigorous opposition to the Hapsburg houses of Austria and Spain. In the *Peace of Westphalia*, 1648, and the *Treaty of the Pyrenees*, 1659, under Cardinal Mazarin, she reaped the fruits of her interference in German civil wars by gaining Alsace.

In the sixteenth century she had gained Metz, Toul, and Verdun, but Lorraine was still independent, and a glance at the map will show what an unsatisfactory boundary France then possessed on the East. In 1665 Charles II. became King of Spain, and he was destined to be the last male Hapsburg of his line, sprung from Charles V. Now, the Kings of France could claim, in virtue of certain marriages, the whole of the Spanish inheritance; but meanwhile Louis XIV., left to himself after the death of Mazarin in 1660, tried what he could do to conquer the Hapsburg territories in the Netherlands, and to absorb what he could of German towns and districts in the Rhine neighbourhood. Germany was feeble and disunited, but on the other side of the Spanish Netherlands lay a power that had not yet forgotten how to fight. When Louis XIV. attacked the United Netherlands in 1672, the provinces chose William of Orange (§ 8), the posthumous son of their last Stadtholder, to his father's position, flooded the country, and, henceforth regarding France as their enemy rather than their old master Spain, united with that country against the common foe of both, and succeeded in driving out the French. By the *Treaty of Nimuegen*, 1678, France gained nothing but Franche-Comté.

The Thirty
Years' War,
1618-1848.

Territorial
Expansion of
France.

§ 14. William of Orange, with the Netherland republics

William of Orange

v.

Louis XIV.,
1672-1685.

to support him, thus stood out as the great enemy of Louis XIV., and gradually came to be regarded as the champion of Europe against him. As in the eighties of the seventeenth century Louis was seizing German territories, the German princes came to be more and more inclined to join the great Stadtholder, and form the Grand Alliance of all the Powers of Europe against the predominating might of France. Which side should England join? Under the Stuarts Charles II. and James II. she was allied with France, or was at least neutral. But the heiress to the English throne was the wife of William of Orange (§ 7), and might at last bring England to the anti-French alliance: this was the desire of all Europe, specially of the German Protestant princes.

The Empire was weak, and all the strength it had to spare

Louis XIV.
and the Empire.

was devoted to the eternal war with the Turk; but in these years of French advances great victories had been won over the Mohammedan.

In 1683, Vienna had been saved and the Turkish host defeated by John Sobieski, King of Poland. Could Louis XIV., the enemy of the Holy Roman Empire, not do something to take away the reproach of doing nothing but injure Christendom? He had no Turk to fight, but there were within his own territories thousands of heretics, living and prospering under the protection of the *Edict of Nantes* that Henry of Navarre had in 1598 all grudgingly granted to his former co-religionists, and which Richelieu had minimised so far as was statesmanlike. But Louis XIV. was no Richelieu; he had no political foresight; and, while winning the hatred of Europe by his territorial advances, sacrificed to religious zeal the wealthiest and most productive of his subjects. To the victory of John Sobieski in the East, answered in the West the Revocation of the Edict of Nantes, in 1685, and the wholesale emigration of the Huguenots. They fled to England and to Brandenburg. In the same year, the Papist James II. ascended the English throne in friendly relations with Louis XIV. What an outlook for Protestantism in Europe!

How James flung away his crown we have already seen (§ 8): it is worth while to note here how materially Louis XIV. helped William, first by quarrelling with the Pope, who more or less countenanced the invasion, and secondly by attacking Germany at the critical moment, thus leaving William free to use his Dutch troops for aggression. Nor could Louis in the war which ensued retrieve his error. The fall of *Limerick* (1691) and the decisive battle of *La Hogue* (1692)—“from which England may date her dominion of the seas”—more than counterbalanced William’s repeated defeats in Flanders; and the war ended distinctly in favour of the *Grand Alliance*, which William had so toiled to build up. By the *Treaty of Ryswick* (1697) France kept, it is true, Franche-Comté and Strassburg, but—and this is the main point—recognised William as King of England and Anne as his successor.

The next war was on a much larger scale. The question at issue was what was to become of Spain and its possessions: were they to go to the Austrian branch of the Hapsburg or to the Bourbon claimant? The legal difficulty was quite insoluble: moreover, that such vast dominions should go entire to either of the rivals was utterly subversive of the Balance of Power. And so partitions were devised which came to nothing; for when the life-long invalid, Charles II., at last died in 1700, Louis XIV. accepted the bequest of his kingdom and all that appertained thereto for his grandson Philip, Duke of Anjou, who thenceforth is known as Philip V. The Emperor Leopold at once took up arms on behalf of his son, the Archduke Charles; but it was not till Louis, apparently letting chivalry override his judgment, recognised James Edward, “the Old Pretender” (§ 8), as King of England (September, 1701), that England would join Holland in the war against these formidable Bourbons. William died shortly afterwards, and the conduct of the war passed to Marlborough, the husband of “the Queen’s Favourite” (*née* Sarah Jennings), who equalled the late King in diplomacy and far surpassed him as a general. His decisive victories—especially *Blenheim* (1704) and *Ramillies* (1706);

The War of
English
Succession,
1689-1697.

The War of
Spanish
Succession,
1701-1714.

the immense strain on Louis of maintaining armies at the same time in Flanders, the Rhine Valley, the Cevennes, N. Italy and Spain; and the general ill-success of the French arms early made Louis willing for peace; but it was not till Marlborough had been removed from office with the Whigs who supported him (1710) that a Tory Ministry brought about the *Peace of Utrecht* (1713). Most of the belligerents not included in this peace came to terms at *Rastadt* in the following year.

From this struggle "John Bull"—as we were then first called—came out distinctly best. And he deserved it, for the war had run up the National Debt to £34,000,000—thrice its size in 1700.

Spain ceded to England Gibraltar (taken in 1704), Minorca, and the *Assiento*, or right of trading with her American Colonies—a concession worked by the famous *South Sea Company*: France ceded Newfoundland, Nova Scotia, and Hudson's Bay. And though Philip V. became King of Spain, he had to renounce all claims on the French crown, and to submit to see his rival, now the Emperor Charles VI., rule in Milan, Naples, Sardinia, and the Netherlands—the latter territory being burdened with the maintenance of Dutch garrisons in certain fortresses by the *Barrier Treaty* of 1715.

NOTE.—Two Powers made great strides towards their present greatness during this period: the Elector of Brandenburg became King of Prussia in 1701, and the Duke of Savoy was in 1713 rewarded for his skilful time-serving with the title of King of Sicily—exchanged in 1718 for that of Sardinia, and in 1861 for that of Italy.

§ 15. Louis XIV. died in 1715, and with him died, if not all hopes, at least all possibilities, of success for the Jacobites. For nearly thirty years England and France persistently held aloof from war—being for a considerable part of the time under the great Peace Ministers, Walpole and Fleury. The wars in the East and North of Europe did not concern England; and it was not until long after France and Spain, some time estranged, had drawn together in the *Family Compact* of 1733—renewed 1743—that vigorous war again broke out in the West. Walpole would not stir to help Austria in the curious *War of the Polish Election* (1733-35), and did not interfere when the Powers were "Paring and carving the

Walpole and
Fleury.

territories of Europe like a Dutch cheese." It was with the utmost reluctance that he entered upon war with Spain in 1739 in response to a national outcry against the severity of Spanish colonial officials on English smugglers.

This war was one of a tangle of wars extending from 1739 till 1748, which are known collectively as the *War of the Austrian Succession*. In that war England helped Maria Theresa, heiress to Charles VI. (who died in 1740), against

England, France,
Austria, and
Prussia;
1740-1760.

France and Prussia. The outcome was that Maria maintained her position at home, and got her husband, Francis of Lorraine, elected Emperor, but had to cede Silesia to Frederick the Great of Prussia, and nearly all her remaining Italian possessions to Bourbon princes. Thinking she had been helped but half-heartedly by England, Austria, after the *Treaty of Aix-la-Chapelle* (1748), began, by the advice of Kaunitz, to look elsewhere for help; and in the *Seven Years' War* (1756-63) was the ally of France against England and Prussia.

A dead-set was being made at Prussia, and England stepped in to the rescue. The Pitt-Newcastle Ministry—the strongest ministry of the century—adopted the plan of fighting with *money* on the Continent and with *men* in the rest of the world. Frederick was aided, in his life-and-death struggle, with subsidies verging on a million a year; whilst Englishmen were fighting the French in America, in India (chap. III., §§ 4, 5), and on the seas. The year 1759, in especial, is famous in our annals as the year of triumph: "it was necessary," says Horace Walpole, "to ask every morning what new victory there was, for fear of missing one." Admiral Pocock's repulse of Lally, near Madras; Wolfe's conquest of Quebec; Rodney's bombardment of Havre; Boscawen's victory off Lagos; and Hawke's annihilation of the French fleet at Quiberon Bay, are the most illustrious of these successes. How the accession of George III. in the next year affected the course of events we shall see in the following chapter.

CHAPTER II.

George III.

DOWN TO THE PEACE OF VERSAILLES (1760-1783).

§ 1. The Crown, Political Parties, and Parliament.—§ 2. George III. and Lord Bute oust Pitt and Newcastle from office, 1761, 1762.—§ 3. Charles III. of Spain and the *Third Family Compact*, August, 1761; War with Spain.—§ 4. The *Peace of Paris* and the *Treaty of Hubertsburg*, February, 1763.—§ 5. Bute's Ministry (1762-3), and the Whigs.—§ 6. John Wilkes and the *North Briton*, No. 45.—§ 7. George Grenville and the Bedford Ministry; Home affairs.—§ 8. The Thirteen North American Colonies and their Trade.—§ 9. The National Debt; the Intention and the Reception of the *Stamp Act* of 1765.—§ 10. The *Regency Bill* and the First Rockingham Ministry.—§ 11. The Ministry of the Duke of Grafton and the Earl of Chatham.—§ 12. Fresh Colonial Taxation by Townshend, 1767; Return of Wilkes and the *Letters of Junius*, 1768.—§ 13. Wilkes and the Middlesex Election, 1769; Parliament and the Electors.—§ 14. The Ministry of Lord North and the *Grenville Act*, 1770.—§ 15. The House of Commons and the Publication of its Debates.—§ 16. Progress of the American Quarrel, 1767-1774; the Boston Tea Incident (December, 1773); Repressive Measures and Congress of Twelve Colonies (1774).—§ 17. The War of American Independence from the *Declaration of Rights* (October, 1774), to Burgoyne's Surrender at Saratoga (October, 1777).—§ 18. The Alliance between France and the "United States," February, 1778.—§ 19. The War with France, Spain, and the States, 1778-9.—§ 20. Declaration of War against Holland, December, 1778: its Causes.—§ 21. The *Armed Neutrality* and the *Right of Search*.—§ 22. The Position of England at Home and Abroad in 1780; the Gordon Riots.—§ 23. Lord Cornwallis' Surrender at Yorktown, October, 1781; Rodney's Victory in the West Indies, and the Bombardment of Gibraltar, 1782; *Peace of Versailles*, September, 1783.

§ 1. DURING the last two reigns, Tories, and much more the Jacobites, had been rigorously excluded from the direction of affairs, though a few Tories had been introduced to inferior offices about 1745 by the Pelhams. During Walpole's administration these excluded Tories had been joined in opposition

"The Idea of a
Patriot King."

by discontented Whigs; and it was then that the party name of "Patriots" was first heard. It was connected with the title of a pamphlet written by Bolingbroke, the *Idea of a Patriot King* (published 1739), in which it was argued that the King of England ought not to attach himself exclusively to one party as George I. and II. did, but that he should be the King of the whole country, excluding none from his counsels on account of their political principles. It was, in fact, a proposal to return to the earlier practice of William III. (Chap. I., § 9), which he had been forced to abandon after Mary's death in favour of an exclusively Whig policy, and which had only once, and then but for a moment, been attempted since—early in Anne's reign.

An estrangement between the English King and his heir might almost be regarded as an element of the English Constitution in the eighteenth century: certainly the violent quarrel between George II. and Frederick Prince of Wales had a large effect on the politics of the time. It worked curiously in a double way: it gave the Jacobites an Hannoverian hero in the person of the "Coming King"—which alienated them from plotting on behalf of the impossible "King over the water,"—but it also supplied all the enemies of George II.'s Ministers with a powerful supporter. The Prince of Wales's power was one of the causes of Walpole's fall: the constant opposition between father and son made the Prince's court a centre of disaffection. It was in this court that George III. was reared. Taught by tutors chosen by his mother under the direction of Bolingbroke and Lord Bute, the young Prince was a "Patriot": he saw in the system under which his grandfather laboured the result of a vicious principle of politics. And so, when, in October, 1760, he succeeded George II., a great change was to be expected in the English Constitution.

The "simple, stubborn, affectionate, bigoted man"—as Thackeray calls him—was resolved "*to be a king.*" But how? He could not do away with Parliament: so, like Charles II. (see Chap. I., § 8), he set himself to influence it for his purposes. The task was rendered simpler by the then nature of Parlia-

The Sovereign
and the
Prince of Wales.

The King and
the House of
Commons.

ment. In the first place, though Commoners were rare in the Cabinet, the House of Commons itself had risen to the first rank: it was the "Lower House" only in name. This was largely Walpole's doing: in especial, by causing the rejection of Sunderland's *Peerage Bill* (1719) he had prevented the House of Lords from becoming a small close corporation quite uncontrollable by Crown or Commons. But the Commons, powerful as they were, represented, as Pitt said, "not the nation, but ruined towns, noble families, wealthy individuals, and foreign potentates." True, Pitt allowed that "strength and vigour resided in the counties and large cities;" but even in the counties the franchise was restricted to the 40s. freeholder. And the mass of members came from small boroughs where the election was in the hands of close corporations or of a small number of venal freemen. It is easy to see that both electors and elected might without any great trouble be purchased; and from the days of the "Merry Monarch" purchased they were. "Influence" was exerted in two ways: the *direct* method of purchase—as when a borough sold its vote, as Oxford offered to in 1768 for £6,000—and the *oblique* method, which was applied especially to members, and which consisted in the use of the Crown patronage. The numerous efforts to diminish the weight of the votes of "placemen" were only partially successful. William III. had vetoed a *Place Bill* in 1693. The sixth clause in the *Act of Settlement*, by which

"no person who has an office or place of profit under the King, or receives a pension from the Crown, shall be capable of serving as a member of the House of Commons,"

was found too sweeping—it would have excluded Ministers from the House, and so tended to dis sever Executive and Legislative—and was greatly modified in 1705. The *Place Bill* of 1742, disqualifying subordinate officials, did not affect many of the 200 placemen then estimated to exist in the House. And, besides places, there were secret pensions paid out of the Civil List (Chap. III., § 4).

This enormous power of controlling Parliament, and the elections to the Commons, had been wielded by Walpole and others in the interest of party: George III. resolved to take it into his own hands.

The wealth and
political influence
of George III.

Instead of behaving as a foreigner to English politics, and leaving the patronage in the hands of the Ministers, content so long as they kept out the Stuarts, the King who "gloried in the name of Briton" took all the work of governing and managing under his own control. George III., throughout his reign, watched the division lists, and rewarded or punished votes according as they were given for or against his desires. In order to understand how this system of government was possible, we must remember that in 1760 the King of Great Britain was far the richest man of the kingdom. England was still in the main an agricultural country, and the inventions had not yet been made which have led since to the growth of factory towns and gigantic fortunes both of landlords and capitalists. But the King had a civil list of £800,000 a year for England alone, besides that of Ireland and the hereditary revenues of Scotland. His German dominions, consisting of duchies and bishoprics known to us collectively under the name of the Electorate of Hanover, gave him still larger revenues, besides the opportunity of raising an army among his own subjects and in the lands of other German princes. These and other sources of revenue raised the King's total income to something over £12,000,000, for which he was not expected to account, and which he spent in places and pensions wherewith to purchase parliamentary majorities. The permanent feature, therefore, which distinguishes George III.'s reign in English history is his unique personality—striving to "be a King," urging his own ideas of government, and endowed not only with the enormous wealth described above, but with a large patronage both in Church and State.

§ 2. In 1760, William Pitt and Lord Holderness were the

Peace Policy of
George III. and
Lord Bute.

Secretaries of State, Newcastle was the First Lord of the Treasury, and England had practically defeated France in all parts of the world—at sea, in America, in India (Chap. iv.,

§§ 2-5). This struggle for the New World had been proceeding with scarcely a break since France in 1744 had declared war against England because of her continued support of Maria Theresa of Austria and Hungary (Chap. i., § 15). Since

then, we had changed our allies on the Continent, Prussia having taken the place of Austria; and Frederick the Great, with the help of English subsidies, had kept French armies at bay in Hannover, Austrian and Russian armies in Saxony and Prussia, and thus had eased our work on the high seas. But in 1760 Englishmen were beginning to tire of the war, and George III. and his new Minister, Lord Bute, were eager for peace.

In March, 1761, Holderness willingly retired—it was made well worth his while so to do—to make room for the King's old tutor; but William Pitt, the War Minister, continued in office for six months longer as a colleague of Bute, who was desirous of coming to terms with the enemy. Pitt, on the other hand, still desired to continue the struggle, and to declare war with the King of Spain, who was now engaged in making a new *Family Compact*, as in 1733 and 1743, with his Bourbon cousin of France; but, as the King and Bute refused to follow his counsels, he resigned in October, being succeeded by Lord Egremont.

Newcastle, the last of the trio, remained in office till the following May. He then resigned, partly because he disapproved of the withdrawal of subsidies from Prussia, but more in disgust at losing the patronage he had so long been used to bestow. "Nothing in his public life," it has been said, "became him like the leaving of it." Bute* was appointed to the vacant Treasury Lordship, his late post as Secretary being taken by George Grenville. Thus, within eighteen months, one of the most powerful Ministries that England has ever had was dismissed, and its place taken by nominees of the King whose names would not be known to history except as they are connected with George III.'s new policy.

§ 3. While these changes were being made at home, events of not less import were altering the conditions of

* *The Earl of Bute's Ministry*.—Bute, First Lord; Sir Francis Dashwood, Chancellor of the Exchequer; Earl Granville, President of the Council; Bedford, Privy Seal; Halifax, Admiralty; Egremont and George Grenville, Secretaries of State. Also Henry Fox, &c.

Europe. In June, 1761, the English, under Coote, captured Pondicherry, and in the next month Mahé, thus putting an end to French territory in India (Chap. iv., § 5), while Dominique was taken in June. In 1759, King Ferdinand of Spain died, and was succeeded by his brother Charles—the “Don Carlos” who made his name first as Duke of Parma in 1725, and since 1735 had been known as the King of the Two Sicilies, the eldest son of Elizabeth Farnese, second wife of Philip V., and the soul of those Family Compacts whose fruit had been the reconquest of Italy for the Bourbons from the Hapsburgs. In 1735, his duchy of Parma had reverted to the Austrian Emperor: * later, by the Treaty of Aix-la-Chapelle, in 1748 it had returned to the Bourbons again in the person of Charles’s next brother, Philip.

Now, in 1759, mounting the throne of Spain as Charles III., he left his Sicilian kingdom to his second son, Ferdinand, and, naturally enough, worked to renew the Family Alliance of Bourbon princes which had been the making of his own fortune. Accordingly, in August, 1761, the *Third Family Compact* was made between France and Spain. The terms of this new Compact are of the most remarkable kind, only to be explained by remembering that it is a *family* and not an ordinary political scheme.

The preamble states the object of the treaty :—

“To make permanent and inseparable for the two Kings, as well as for their descendants, those duties which are a natural consequence of relationship and friendship.”

The two Kings will regard one another’s enemies as their own (Art. 1) : the King of the two Sicilies and the Duke of Parma are to be included, if they wish, in a mutual guarantee of all Bourbon possessions (Arts. 2, 3). Arts. 16, 17, 18 emphasize the principle of Art. 1, by arranging that in case of war there shall be no limit to the help mutually afforded, that they should make no separate peaces, and that the losses which one may sustain should be compensated by the other. Arts 20 and 21 make the alliance inclusively and exclusively Bourbon, while the commercial articles decide that—

“Their respective subjects shall be reciprocally treated as the subjects of the monarch into whose country they may travel, and in all cases as those of the most favoured country.”

* I.e. the Austrian Archduke who had been elected to the Holy Roman Empire : the “Emperor of Austria” is not invented till 1806.

So far, the open articles of the treaty: secret articles arranged the application of the alliance to the immediate circumstances—

Spain was to declare war against England in May, 1762, if England and France had not then come to terms, while France would uphold the claims of Spain in the current negotiations, would give her Minorca, and endeavour to keep it for her at the peace.

However, England saved Spain the trouble of declaring war by beginning hostilities, first getting Portugal to do the same (Jan., 1762); and the only fruit that Spain gained at present from the new alliance was the loss of East and West India possessions: Havana was lost in August, Manila and the Philippines in October. Meanwhile, France was losing many of her West India possessions—Martinique, Grenada, St. Lucia, and St. Vincent.

§ 4. In January, 1762, the Empress of Russia, Elizabeth, died and was succeeded by her nephew, whom she had long before adopted as her heir, Peter of Holstein Gottorp, Peter III.: in July a palace revolution deposed the Czar, in favour of his wife Catharine of Anhalt, known henceforth as the Empress Catharine II. The result of these changes was the withdrawal of Russia from the anti-Prussian league; for Peter III. was a great admirer of Frederick the Great, and would have sided with him against his enemies, while Catharine, though not going so far, was content to remain neutral.

But in November, 1762, the new English Government succeeded in getting preliminaries of peace signed at Fontainebleau, on terms which were all embodied in the definitive treaty of peace signed in Paris the following February (1763). By this treaty—

France renounced all claims to Nova Scotia, and ceded Canada, Cape Breton Island, and all other islands in the Gulf and River of St. Lawrence.

England left to French subjects the rights they had acquired by the Peace of Utrecht (Chap. I., § 14) of fishing and drying their fish on the coasts of Newfoundland and in the Gulf of St. Lawrence within certain limits, ceding to them for these purposes the small

islands of St. Pierre and Miquelon, off the coast of Newfoundland, under the proviso that these were never to be fortified.

Spain ceded to England Florida and all her possessions to the East and South-East of the Mississippi, but all West of the Mississippi as well as New Orleans was left by England to France, who immediately, in accordance with the Family Compact, handed it over to Spain—under the name of Louisiana—as compensation for the loss of Florida. The old possessions of France in India were restored, but were to be merely factories, not fortresses. Many other mutual conquests were restored, but England gained from France Grenada, St. Vincent, Dominique, Tobago in the West Indies, and Senegal, (*not* Goree) in Africa, and acquired rights to cut down mahogany in Honduras while promising to erect no forts there.

The Elector of Hannover was regarded as comprised in this treaty and his possessions restored: with this exception, the whole of the treaty is concerned with matters that are usually regarded as non-European. Compare the treaty with the story of the war that had preceded it: there the interest seems to centre in Prussia and the battlefields of Germany, it is filled with the names of Austria, Saxony, Russia, France, their generals, their victories and defeats; only occasionally, and for a brief paragraph, do we hear of half-understood squabbles in America and in India; but in the treaty, all that England and France have to arrange is America or India: continental politics scarcely appear. So true is it, as Pitt said, that it was America we won on the fields of Germany.

Our ally, Prussia, being abandoned by us, was glad to take advantage of Russian neutrality to make peace with *his* enemies, Austria and Saxony, and the articles of his treaty with them, signed at Hubertsburg, 1763, may be summarized as restoring the condition of things which had existed before the war. Millions of money and thousands of lives had been expended in Europe to effect—nothing: a few hundreds of lives had sufficed to win for England North America and India.

*Treaty of
Hubertsburg,
Feb. 15th, 1763.*

§ 5. We have seen how the constitutional change brought about the change in continental politics; we have an example of the effect of international politics on the Constitution when we find Newcastle, Grafton, and Rockingham dismissed by George III. from the lord-lieutenancies of their

Bute's Ministry,
March, 1762—April,
1763.

counties, and many smaller place-holders losing their offices because they voted in Parliament against the terms of the Preliminaries of Peace. Devonshire resigned his office of Chamberlain, and was scratched off the list of Privy Counsellors by George himself, for the same reason. That Grenville resigned his Secretaryship (October, 1762) because Bute proposed to surrender Havana to Spain must not be regarded in the same light as the other dismissals: it was the consequence of the necessity of unanimity in the Cabinet. He was succeeded by Halifax. Thus, in the spring of 1763, George III. seemed to have succeeded in the revolution which he had attempted. His tutor was at the head of a unanimous administration, the Whigs had been taught they were not indispensable, and the disgrace of 1744 and 1746 (Chap. I., § 9) wiped away. Peace had been restored, and those who opposed the King in Parliament had learned they must not expect to remain in any office while opposing the Government.

"Patriotism" had triumphed: it had created a new party, called "King's friends," who were united by the new principle of loyal allegiance to the person of the monarch and of devotion to the good of the people as a whole. Their triumph revealed and emphasized the weakness of their enemies: the Whigs were split into factions, connected mainly by family ties. There was the Rockingham party, consisting of Newcastle, Grafton, Devonshire, and Rockingham, with his *protégé* Burke; the Grenville party, including George Grenville, Temple, Halifax, and others; the Bedford party—who gained the nickname of the "Bloomsbury Gang"; and finally William Pitt's party, the smallest of all, consisting of himself, his brother-in-law Temple, and Alderman Beckford who represented the City merchants and their belief in Pitt as the expander of British trade. Of course, all these could be regarded as possible converts to the King's party, to which they might be won if suitable offers were made: we have already seen Grenville in office, and Halifax. So too Fox, Paymaster of the Forces, was given a seat in the Cabinet and entrusted with the Leadership of the Commons. In this capacity he saw after the purchase of votes, which went on to an hitherto unheard-of extent. Some £80,000 of "Secret Service money" is said to have been thus disbursed during the year 1762.

The Sections of
the Whig Party.

§ 6. But with the triumph of the new principles came also the opposition to them. Parliament might be bribed into acquiescence with places and pensions, but the Press was now coming forward vigorously into political life, and will require our notice from time to time. Since, in 1695, as we have seen (Chap. I., § 8), the Parliament, jealous of their Dutch Sovereign, had refused to renew the Censorship of the Press,* every one in England had, subject to the law of libel, been free to print what he chose of his own opinions.

John Wilkes, in 1762, had begun the publication of a periodical which, in allusion to Bute's title and the King's boast of being a born "Briton," he called the *North Briton*, and which he directed in bitterness and scurrility against the Government of the day. In April, 1763, No. 45 of this paper appeared, in which he charged the King's Speech with being false. In our days the Queen's Speech is known to be the work of the Ministers, and not of Her Majesty: in George II.'s reign it had been the same, but one of the results of George III.'s revolution was that the Royal Speech came to

* *The Liberty of the Press.* The printing-press was early placed under the supervision of the Church; later, in the time of Mary, under that of the Star Chamber. In 1637, and again in 1662, the number of master-printers was limited to twenty, and no presses were allowed save in London, York, and the two Universities. The *Licensing Act* of 1662 also gave the Government the power of issuing general search warrants: this power, according to Lord Camden (Chief Justice of Common Pleas)—in the case of *Entwick v. Carrington*, 1765—ceased with lapse of the Act, in 1695. Under the Hanoverians the Press was restricted and controlled by the imposition of a *Stamp Duty*, and by the use of the *Law of Libel*. (1) The *Stamp Act* dates from 1712; the duty was gradually raised to fourpence, and in 1820 extended to cheap political tracts. It came to an end in 1855; and about the same time two other fiscal burdens on the Press passed away—the *Advertisement Duty* in 1853, the *Paper Duty* in 1861. (2) For the *Law of Libel* see this section and Chap. III., § 13. It was excessively severe: (a) the accused was arraigned without any examination before a Grand Jury; (b) the publisher was responsible for his servants' acts; (c) it was laid down by Lord Mansfield in 1764 that it was the province of the judge alone to determine the criminality of a libel, the function of the jury being merely to determine as to the fact of publication.

be regarded as really the King's, and, in consequence, Wilkes' attack was regarded as charging the King with uttering a lie on the throne. It was determined by the Government to prosecute the authors, printers, and publishers of the alleged libel, and, as they were unknown, a general warrant was issued by Lord Halifax for their apprehension : to use the words of Erskine May, he—

“issued a warrant, directing four messengers, taking with them a constable, to search for the authors, printers, and publishers of the *North Briton*, No. 45, and to apprehend and seize them, together with their papers, and bring them in safe custody before him. . . . No one was named. . . . The magistrate, who should have sought proofs of crime, deputed this office to his messengers.”

Under the terms of this warrant, forty-nine persons were arrested, among whom were the real printer and publisher of the obnoxious paper. They revealed the name of the author (John Wilkes), but the messengers of the Government, declining to use their knowledge to obtain a special warrant—*i.e.*, one naming John Wilkes—for his arrest, used the original general warrant to arrest him too. When Wilkes saw the document, “he declared it ‘a ridiculous warrant against the whole English nation,’ and refused to obey it.” But he was committed to prison, and, under the personal superintendence of Wood (an Under-Secretary of State), his papers were seized.

In May, Wilkes sued out his writ of *Habeas Corpus* in the Court of Common Pleas, and was set at liberty by Chief Justice Pratt (later Lord Camden) on pleading his privilege as Member of Parliament. In July, several of the printers who had been arrested prosecuted the Government messengers for unlawful arrest under a general warrant, and obtained verdicts, with damages, in each case, the judges deciding that such arrests were violations of the law. In December, Wilkes brought an action against Wood for the seizure of his papers, and also obtained a verdict, and commenced an action against Lords Halifax and Egremont for unlawful arrest under the general warrant—an action which was delayed, partly by the death of Egremont in September, partly by the legal devices of Lord Halifax.

Wilkes, unsupported
by Parliament,
retires to France,
Nov., 1763.

But now the House of Commons came to the aid of the Government. In November, Wilkes was again arrested, in consequence of an information filed against him in the Court of King's Bench, and, though an excited mob would willingly have rescued him, he surrendered and declared himself willing to waive his privilege as Member of Parliament until the House of Commons should declare it for him. But, on his rising in his place in the House to claim its protection, they proceeded to vote that No. 45 of the *North Briton* was "a false, scandalous, and seditious libel," and that privilege of Parliament did not extend to such matters. They followed up this vote, in December, by expelling Wilkes from the House. He retired to France, and in the following February (1764), when his case came up for trial in the King's Bench, he was absent, nor could any plea of privilege now be put in. He was therefore found guilty of libel and outlawed.

§ 7. This, the first chapter in Wilkes' history, illustrates the working of the new principles in the Constitution as well as some of the oldest. The King is once more identified with his Ministers, and regards attacks made on them as directed against himself. The Ministry, thus supported by the King, feel themselves so strong against the Press, that they, "with a light heart," use the first weapon that comes to their hand to crush their opponents, and are foiled, not because their action is contrary to public opinion, but because they have heedlessly broken the law and roused the jealousy of the Judicial Bench, who cannot endure the least beginning of a power which might "certainly affect the person and property of every man in the kingdom," and which "is totally subversive of the liberty of the subject." The English law, knowing no distinction of persons, imposed penalties on Government officers and messengers, but this technical victory did not touch the main point at issue—the conflict between the State and the individual—and the Ministry could rely securely on the support of the House of Commons, who, to support the King, curtailed their own privileges. Wilkes was, for the time, got rid of by his retirement to France and his outlawry; but in the spring of 1763 the man whom he

Significance of
the affair of
John Wilkes.

had made the main object of his attack had also retired from office. It is said that one of the reasons which induced Lord Bute to resign his position as King's Minister was his growing unpopularity, to which the attacks of the Opposition Press contributed.

Bute recommended to the King as his successor George Grenville,* known in his day as the "Gentle Shepherd," and hoped still to control affairs from an inner Cabinet; but the Whig Minister, whose principles led him to look more to the House of Commons for his support than to the Crown, rebelled against the dictation, and complained to the King that he did not give his confidence to his constitutional Ministers. The consequence was an estrangement between George III. and "the Triumvirate," as Grenville and his two secretaries, Halifax and Egremont, were called, and the King resolved to take the first opportunity of dismissing them.

In September, as we have seen, Egremont died, and there was some delay in filling the vacancy. In which of the Whig sections should George III. look for the new Secretary of State? Negotiations were held with William Pitt, but he would not accept office except in company with the Whigs who had been dismissed from their posts for their votes on the Peace—*e.g.*, Temple and Devonshire. On these terms being rejected, the Duke of Bedford was applied to, and it was one of his party, the notorious Earl of Sandwich,† who filled the vacant office, while Bedford himself became President of the Council, and gave his name to the Ministry. How the Ministry set Parliament against a popular hero we have related in the previous section: we now turn to the yet larger quarrel in which they embroiled Parliament and State.

§ 8. "George Grenville lost America because he read the

* *George Grenville's Ministry.*—Grenville, First Lord of the Treasury and Chancellor of the Exchequer; Marlborough, Privy Seal; Halifax and Egremont, Secretaries of State; Sandwich, Admiralty; Holland (Fox), Paymaster of the Forces. Also the Marquis of Granby, &c.

† He was so keen a gambler that he would hardly stop to eat: hence the term *sandwich*. (SKEAT.)

despatches from the Colonies." This old saying, though apparently paradoxical, is perfectly true. There were on the eastern coast of North America a number of English Colonies, which, though they were somewhat less ignorant of their parentage than Topsy, had "grewed" very much after the manner of that famous character by being let alone. The New England Colonies, *Massachusetts*, *Rhode Island*, *Connecticut*, and *New Hampshire*, had grown from that Puritan emigration of the seventeenth century to which the classic story of the "Mayflower" belongs. They based their theocracy on the Congregationalist principle. The neighbouring colonies of *New York* and *New Jersey*, lying in the Hudson Valley, had, after some alternations of fortune, finally passed from Dutch to English hands in 1674. Further West lay the inland colony of *Pennsylvania*—a Quaker colony, which took its name from the friend of James II., the Quaker and the Roman Catholic Stuart finding common ground in their desire for universal toleration. *Baltimore*, the capital of *Maryland*, had been founded in Charles I.'s reign by Roman Catholics, and belonged to the family from whom it took its name. *Virginia*, which was so named by Raleigh, its first coloniser, had been refounded in James I.'s reign by Episcopalians; while *Georgia* was inhabited by insolvent debtors and persecuted Germans. The *Carolinas* were originally French, but attracted English settlers during the reign of Charles II.; while *Delaware*, which completes the full tale of thirteen, was split off from *Pennsylvania* in 1776. The constitutions of these colonies were almost as varied as their religious and social systems: usually there was a *House of Assembly*, elected by the burgesses, an Upper House or *Council*, generally nominated by the Governor—but in *Massachusetts* by the freemen (§ 16)—and a *Governor*, who was himself, as a rule, nominated by the King in conjunction with the proprietaries, though sometimes nominated by the Council. Broadly speaking, the New England Colonies were sectarian and democratic: the more Southern ones under aristocratic slave-owners.

The relations between the various colonies and the mother country were various: the most important point to notice

is that they were regarded as “plantations” for the benefit of England. By the terms of the Navigation and other Acts they were forbidden to trade with any country but England—not even with one another. The result of this was a restriction of markets, by which the colonists lost both as sellers and as buyers, the “balance of trade” being always in favour of English merchants, and necessitating a constant flow of money from America to England. Now, the hopes of discovering gold and silver in North America, as it had been found in South America, had long ago been disappointed, and the Colonists had had to content themselves with agricultural wealth. How were they then to supply themselves with the cash necessary to pay their constant debts to England? They carried on a trade with the silver-producing countries of South America, exchanging timber for bullion—a trade which might be regarded as justifiable, or the contrary, according as it was regarded from the English or American point of view. It was clearly unlawful: but so long as the Secretary of State, whose department included the Colonies, left the despatches there to grow dusty and unopened in the pigeon-holes of his office, no harm was done. When, however, Grenville, under a sense of duty which some regard as mistaken or unfortunate, began to read these neglected despatches, and when he further went on to attempt to force the Navigation Act and suppress the “illicit” trade with South America, it is not difficult *now* to foresee a quarrel between England and the Colonists.

§ 9. We have become so used to a National Debt that

The Burden of the
National Debt.

approaches £800,000,000, and involves an annual expense of some £25,000,000, that it is difficult for us to realise the terrible burden laid on the minds of statesmen by a debt of some £130,000,000. But in 1763 the nation was by no means so rich as it is now; and, besides, the lesson had not been then fully learnt how to make posterity pay for the provision made for them. A national debt meant national bankruptcy—it was a horror which must speedily be got rid of at all costs. There had been frantic attempts made by George I.’s Ministers to

rid themselves of the burden, and all sorts of schemes of financiers to diminish it. Now, at the close of the last war, the Debt was double what it had been at the peace of 1748 (£76,000,000): it now exceeded £130,000,000.

Grenville was anxious that this should be paid off, and saw no reason why the Colonies in America, for whose benefit mainly the war had been fought, should not share the expense. The reasonableness of this proceeding was patent from Grenville's point of view: the King had the power of taxation; the Colonies were part of the Empire; and Parliament had the right to determine which part of the Empire should pay shares of the taxes. Accordingly, in 1764, the Ministry passed through Parliament a proposal that certain customs duties should be paid in hard cash into the Imperial Exchequer, and applied towards defraying "the necessary expenses of defending, protecting, and securing the British Colonies and plantations." Coupled with this was the resolution that "it may be proper to charge certain stamp duties" in the Colonies; but the Bill embodying the principle of this resolution was postponed till next year in order that the Colonial Legislatures might discuss it.

But the Colonists did not view the matter in the same light. They felt the inconveniences of the restricted trade, they were sore at the interference with their South American commerce, and, above all, now that the French were driven out of North America, they began to need the protection of England less than formerly. Consequently, they took up the attitude towards the English King and Parliament which the English Parliament had in the seventeenth century taken against the Stuart King (Chap. I., § 5). Just as then the Parliament had opposed the King on disputed points of the Constitution which needed settling, so now on the new question whether England had a right to tax the Colonies, the latter resisted the claim. And just as the Parliament had based their resistance to Charles I. on elementary principles supposed to be involved in the ancient Constitution, so now did the Colonists base their resistance on a principle supposed to be part of the Constitution—that no taxation could be imposed on those who were not represented in the body

Conflicting views
on the
Stamp Act, 1765.

imposing the tax. And they were just as inconsistent in the maintenance of their principle as the Stuart Parliaments had been in the opposition to Walpole's Excise scheme. They admitted the right of the British Parliament to regulate trade, and, as a necessary consequence, to impose custom duties; but they objected to the same body collecting internal duties—excise, &c.

Here, therefore, are the elements for a quarrel—two parties, whose interests are beginning to diverge, but whom law has bound together, appealing, on each side, to elementary principles of “natural” law: on the one hand, the right of an Imperial Parliament to legislate for the Empire, and the duty of each member of the community to contribute its share of the expense; on the other, the claim of such parts to a consultation in the distribution of the taxation. But the legal discussion that filled the air must not blind us to the real conflict. The struggle between England and America was only one instance of the constant theme of many wars—the conflict between two forces, the centralising tendency which unites men and builds up ever new and larger confederations, and the decentralising or localising tendency, the offspring of diverging interests, lack of communication, and narrowness of mental range, which is ever tending to split up great masses of men and form them into smaller groups—the tendency which caused the Greeks to fight at Marathon and the Irish to demand “Home Rule.”

As we trace the story of the Anglo-American quarrel we shall see how often the British gave way on just the wrong points: they constantly failed to understand the views of the Colonists.

The Beginning of
the Quarrel, 1765.

This remark receives its first illustration at the very outset: the *Stamp Act* was passed in spite of petitions from six of the Colonies, and at the same time England thought she was satisfying the Colonists by offering alleviations of the distress caused by trade restrictions. She gave bounties to the cultivation of hemp and flax; S. Carolina and Georgia were allowed to export rice to the French West India Islands; and the whale-fishery was relieved of taxation. But what did the Colonists care for these measures of alle-

viation, while the Stamp Act required "all bills, bonds, policies of insurance, newspapers, broadsides, and legal documents of all sorts to be written on stamped paper sold in public offices," even though the proceeds were devoted exclusively to the protection of the Colonies? In August, 1765, there were riots in America and destruction of these stamped papers. In October, there was held a meeting of delegates from nine or ten Colonies, who resolved—

"That the people of such Colonies were not, and could not be, represented in the British House of Commons; that taxes never had been, and never could be, constitutionally imposed on the Colonies save by their respective Legislatures; that all supplies to the Crown are free gifts; that for the people of Great Britain to grant the property of Colonists was neither reasonable nor consistent with the spirit of the British Constitution; and that, as measures of retaliation, they would make utmost efforts to become henceforth independent of British goods and manufactures."

§ 10. But before the meeting of this Congress the Ministry that had begun the fatal quarrel had come to an end. King George III. had been seriously ill, and had shown signs of that insanity which afterwards totally darkened his life (1788–9 and 1810). When he recovered he was impressed with the importance of providing, in case of his death, for the Regency of his son. In consultation with his Ministers as to the necessary Bill, instead of simply naming the Queen, the King wished to reserve the right to name the Regent later himself from among the members of the royal family. But the question arose as to the persons included in this description, and it has been supposed that the Grenvilles and the Bedfords wished to exclude the possibility of the King's mother, the Princess Dowager of Wales, becoming Regent, because she might restore Bute to office. At any rate, they persuaded the King to omit his mother's name from the list of possible Regents, lest—so they argued—the House of Commons might insult him by moving the rejection of her name. Accordingly the Bill passed the House of Lords, naming the Queen or any descendant of the late King and Queen, thus excluding the Princess Dowager. But the House of Commons was more loyal to the King and his

The Illness of the
King, and the
Regency Bill, 1765.

mother than the Ministry were ; for, though Bute's influence was now at an end—

“ the King's friends had become more numerous, and acted under better discipline ; some held offices in the Government or household, yet looked for instructions, not to Ministers, but to the King. The greater number of the King's friends were independent members of Parliament whom various motives had attracted to his cause. Many were influenced by high notions of prerogative, by loyalty, by confidence in the judgment and honesty of their Sovereign and personal attachment to His Majesty, and many by hopes of favour and advancement.” (Erskine May, i., 35, 36.)

The consequence on this occasion was that the House of

Rockingham's
First Ministry,
July, 1765—July,
1766.

Commons went out of its way to put the name of the King's mother in the Bill, and thus proved to George how he had been misled by his Ministers. He never forgave them, and was soon busy in negotiations with the various parties with a view to a new Ministry. Through his uncle, the Duke of Cumberland, he applied again to William Pitt, who stipulated that England should enter into an alliance with the Protestant Powers of Europe by way of an answer to the Family Compact (§ 3), that general warrants should be declared illegal, and that all placemen who had lost their offices for political reasons in 1763 should be restored. There was a chance that he would win office on these terms when he found that his brother-in-law Temple, without whom he would not work, had joined his brother, George Grenville. After an interval of humiliating submission to Grenville and Bedford, the King threw himself into the hands of the Whig chief, and the first Rockingham Ministry* came into office (July, 1765). How far the King's policy had failed may be seen in the fact that Newcastle, now finally quarrelling with Pitt, had the Privy Seal and the patronage in the Church. Rockingham at this time introduced into public life Edward Burke, the apostle of party-government, the opponent in pamphlets and speeches of the “ Idea of a Patriot King.”

* *The Marquis of Rockingham's First Ministry.*—Rockingham, First Lord of the Treasury ; Dowdeswell, Chancellor of the Exchequer ; Newcastle, Privy Seal ; Conway and Grafton, Secretaries of State ; Egremont, Admiralty ; also Granby, Winchilsea, Howe, and Charles Townshend, &c.

§ 11. In the winter session of Parliament, the opposition of the American Colonists to the Stamp Act was the chief subject of contention: the late Repeal of the Stamp Act, 1766. Ministers, Grenville and Bedford, opposed the repeal of the Stamp Act, while most of the Ministers desired its repeal, but they had been obliged, partly by the King's wishes, to include in their Cabinet Charles Townshend and others who were in favour of British taxation of America. Pitt, however, in a great speech during the debate, in which Burke made his maiden speech (Jan. 14, 1766), maintained the American point of view, emphasized their contention that taxation and representation must go together, while also allowing their distinction between excise and customs. This argument was easily answered by Grenville, who exposed the fallacy of the distinction; but there was of course no answer to Pitt's political view that, though it was possible to crush America, in the process the British Constitution would be ruined. The consequence of the debate, and of petitions from manufacturers feeling the loss of American trade, was the repeal (Feb., 1766) of the Stamp Act; but, at the same time, the British Parliament, to save its honour, and, we might add, to prove how little it understood the point at issue, passed a Declaratory Act, stating that Parliament, though it had for the moment retreated, still claimed full legislative control over the Colonies in all cases whatever.

Besides repealing the Stamp Act, spite of the King's opposition, this Rockingham Ministry obtained from the House of Commons a declaration that general warrants were illegal, and restored to their places in the army officers who had been deprived by the King for their votes in Parliament. It is therefore not difficult to understand why the King hated his Ministers, and never ceased to oppose them, and endeavour to find some one else who would be willing to govern the country more in accordance with his ideas, and more in deference to his personal wishes. Thus placed between the King's opposition and the House of Commons composed of King's friends and personal factions, the Ministry was exceedingly weak, and in May Grafton resigned his office on that

The King and
the Rockingham
Ministry.

ground. It was not easy to fill his place, except by one who thankfully accepted the post after others had refused it—Richmond.

At last, in August, the King succeeded in persuading William Pitt to accept and form a Ministry to turn out the Whigs. Pitt broke with his brother-in-law, Temple, and formed an alliance with the King on the basis which they had in

The Grafton
Ministry,
Aug., 1766.

common—opposition to party government.

But Pitt's idea of government differed from the King's. He did not propose to substitute for allegiance to a party-leader, allegiance to the King, as the chief political tie for statesmen; he was as opposed as the Rockingham Whigs to the royal prerogative and Court influence. His idea was that a good government would be supported by the nation at large, and in that confidence the King could neglect momentary opposition by the Parliament.

The alliance between George III. and Pitt promised well, but it was shipwrecked before it left port. Pitt could find no men of first-class ability to take office with him.* This was the first calamity: the second was the refusal of Pitt to take any office himself but the unimportant one of Privy Seal, and his acceptance at the same time of the title of Lord Chatham. Finally, to utterly destroy the success that was anticipated, the doctor whom Pitt was just then consulting for his chronic gout, cured the disease in his legs, only to drive it to his head; and for nearly two months the great statesman was compelled to retire altogether from public business. Before he recovered, the opportunity for his great schemes of foreign alliances, Parliamentary Reform, and amendment of the English rule in India, Ireland, and America, had passed away.

Thus the Ministry which might have been Pitt's is known to history as the Grafton Administration; the acceptance of the title exposed the "Great Commoner" to undeserved

* *The Duke of Grafton's Ministry.*—Grafton, First Lord; Charles Townshend, Chancellor of the Exchequer; Northington, Lord President; Chatham, Privy Seal; Shelburne and General Conway, Secretaries of State; Camden, Lord Chancellor. Also Granby, &c.

attacks on his supposed corruptness ; and his enforced absence from the Ministry left the heterogeneous mixture of "Patriots and Courtiers, King's friends and Republicans, Whigs and Tories, treacherous friends and open enemies," to drift into conflict with public opinion both in England and America, to give further notoriety to Wilkes, and to lose the American Colonies.

§ 12. Early in 1767, Townshend, as Chancellor of the Exchequer, proposed to continue for one year the Land Tax of four shillings in the pound (perpetual, 1798) ; but, on the motion of Grenville, the House of Commons reduced the amount to three shillings, and, to find the £500,000 which the Budget thereby lost, Townshend proposed to lay taxes on certain American imports—glass, red and white lead, painters' colours, paper, and tea. These, of course, were not of the same nature as the duties imposed by the Stamp Act : they were customs—the kind of tax which the Colonists had confessed themselves bound to pay. But the Americans were not now in a mood to stand by their previous distinctions, and the attempt to levy the new duties led to riots.

Townshend, however, did not live to see the results of his financial policy : he died in September, and after Lord Mansfield had held the office temporarily for three months, he was succeeded in the Secretaryship by Weymouth, a member of the Bedford party, and thus the Ministry became mostly Tory, consisting partly of the remnants of Pitt's Ministry, partly of Bedfordites, and partly of "King's friends."

In 1768 a General Election took place, and John Wilkes, who had returned from France, became a candidate for the County of Middlesex. He represented the beginning of Parliamentary Reform—the idea that the House of Commons should represent the people directly, and should not be brought under the influence of the Crown and the great borough-owners. This was not the only attack made on the Constitution as it then existed. In the last session before the General Election, Alderman Beckford had introduced a Bill by which the borough-owners sought to defend themselves

Townshend's
new Colonial
Taxation, 1767.

Alderman Beckford
and
Parliamentary Reform,
1768.

their family seats through the wholesale constituents by men who had amassed wealth now ambitious to enter Parliament. The very newly elected member should take a been concerned in any bribery. But as the only persons who would be affected as they did, the same means as their was rejected, and it was thus still possible to push themselves into the House. In 1768, Wilkes and his partisan Glynn elected for Middlesex, but the popular was still under his old charge of libel No. 45 of the *North Briton*, and on the 10th in April he appeared before the Court and was committed to prison as an outlaw. Soon reversed by Lord Mansfield, and he two years' imprisonment for the original ministry had one of their most vigorous agents in prison; but the confinement did not political activity, as we shall have

of the Ministry deserves mention, because the long controversy maintained as to his ability. The year 1768 was the period of variance of letters in the *Public Advertiser* "Junius," attacking the Government grounds, some of which were personal. never been quite clearly determined, but that the anonymous writer of these Francis, whom we shall afterwards on occasion to mention as an enemy of Indian policy. Woodfall, a publisher, der, printers, were accused of libel for of Junius' letters, that addressed "to the found guilty, and sentenced to pay ten fines for future good behaviour; Miller Woodfall's case, the jury brought in a "guilty of printing and publishing only," trial was ordered, but never was held. see in 1769.

§ 13. In the same year, Wilkes, had again come into conflict with the Government. Lord Weymouth

Wilkes and the
Middlesex
Election, 1769.

had written to the magistrates of Surrey advising them to call in the aid of the military to suppress riots that had arisen out of the recent elections: Wilkes from his prison published a criticism on this letter, fiercely denouncing it as cruel. Lord Weymouth complained of this attack on him in the House of Lords, of which he was a member. They voted Wilkes' publication to be an "insolent, scandalous, and seditious libel," and invited the House of Commons to confer with them as to suitable action. The House of Commons were quite willing to join in the attack on Wilkes, repeated the vote of the House of Lords, and proceeded to expel Wilkes from the House, alleging four reasons:—

(1) Because of this present libel; (2) because of the publication of *North Briton*, No. 45; (3) because of certain "impious and obscene" libels he had, in his *Essay on Woman*, written (but not published) on Lord Sandwich; (4) because he was under the sentence of a Court for still twenty months.

All four of them were totally inadequate as justification for his expulsion, but the House of Commons had in earlier times won the exclusive right of jurisdiction over its members, and was now using its powers. As always when power is abused—*i.e.*, when it is so used that persons who have committed no crime feel its severity—so now, the oppressed Press developed opposition. The electors of Middlesex, ordered to choose another member instead of the one just expelled, re-elected their former choice on February 16th, 1769. Next day the House of Commons resolved that Wilkes, having been expelled, was ineligible, and that this election was therefore void. They ordered a new election, and again Wilkes was chosen, even without opposition (Mar. 16th). Then Colonel Luttrell stepped forth as the champion of the House, vacated his seat, and contested the constituency. Again was Wilkes returned at the head of the poll (April 13th); but the House now resolved that the votes given for Wilkes were null and void, and that Colonel Luttrell had therefore been duly returned.

Technically, the House had won. Which way the moral

triumph had gone may be learnt from the fact that Wilkes was almost immediately chosen as an alderman of London. He at the same time was successful in bringing his long-delayed suit against Lord Halifax to an end, obtaining a verdict of £4000, a sum which, it is said, would have been larger, but that it was understood the Government were prepared to indemnify Halifax for his loss.

In 1769, also, there was founded a great democratic association called the "Society of the Supporters of the Bill of Rights": their immediate object was to support Wilkes, and they required from candidates at Parliamentary elections that they would aim at "the full representation of the people in Parliament,* the exclusion of place-holders, the exaction of oaths against bribery, the impeachment of Ministers for their conduct towards Wilkes, redress for Ireland and for America."

That Wilkes quarrelled after a time with the other leader of this Association—Horne (afterwards known as Horne Tooke)—only led to the formation of two societies, which were the fruitful parents of many others. Never surely was a Ministry so surrounded by opposition. The Press in England, the masses—stirred as they were to thinking, partly by the Wesley movement, partly by the Press—the Colonists in America, the electors of Middlesex, the City of London,—all were the enemies of the Ministers then in power. Only the Houses of Lords and Commons stood by them: even the King lent them no support, for he was as yet unsuccessful in getting a Minister who would be content to do his bidding and work out his ideas.

§ 14. Early in 1770, therefore, the opposition to the Ministry in Parliament became too strong for them to withstand. Deserted by one after another of his colleagues, who attacked the policy of the Ministry of which they were members, Grafton resigned. The Opposition were, however, too disunited to force a popular Minister on the King, who

Lord North,
Premier,
Jan. 1770:
his policy.

* In the General Election of 1768, there are said to have been only 160,000 voters, out of a population of eight millions; at that time the price of a small borough was reckoned at about £4000.

was thus left the only statesman who could take up the reins of government. George III. found in Lord North a First Lord of the Treasury* who was willing to be the King's Minister, and nothing else. Thus, after ten years of endeavour, George III. had triumphed. The Whigs, who had held the Kingship in captivity during the reign of his grandfather (esp. in 1744), were disunited and disheartened; while the King's friends had become a compact party, and were now ready to follow even a feeble leader, so long as he did the King's will. The Whigs had failed because they had irrevocably connected themselves with the system of influence and patronage which bound Ministry and Parliament together in resistance to the new popular powers of Press and Public Meeting.† Attacked by the King on the one hand, and public opinion outside the House of Commons on the other, they had fallen, and the victory should have been shared by King and people. But George III. did not recognise his allies: his Minister, Lord North, took up the same position as his fallen rivals, and continued the struggle against the Colonies of America and the rising political forces in England till he and his master fell again, twelve years later. And yet it must not be supposed that Lord North's position was a weak one. He allied himself with the Grenville and Bedford parties: his new Secretary of State, Sandwich, belonged to the latter. With their help, and with the influence of the King, the Parliament and the King's Ministry stood together and were able to defeat all attacks on their position.

Despite the various motions proposed by Chatham in the House of Lords, and by Dowdeswell and others in the House of Commons, Wilkes was not reinstated, nor his "wrongs" redressed. And an Act, which was passed to prevent the abuses of trial of election petitions by the

The *Grenville Act*
of 1770,
dealing with
Election Petitions.

* *The Ministry of Lord North.*—Lord North, First Lord of the Treasury and Chancellor of the Exchequer; Earl Gower, Lord President; Halifax, Privy Seal; Sandwich, Rochford, and Hillsborough, Secretaries of State; Hawke, Admiralty. C. J. Fox was a Junior Lord, first at the Admiralty (till 1772), then at the Treasury (till 1774); and various changes were made during the long administration (1770–1782).

† On these, see Professor Dicey's *Law of the Constitution*, Chaps. VI., VII.

House of Commons, proved to be no remedy. A committee of thirteen was to be selected by the sitting member and the petitioners from a list of forty-nine, chosen by ballot, to whom each party should add a nominee to advocate their respective interests. This tribunal was to decide without appeal, but this was only partly successful, since the most powerful party obtained a majority in the list of forty-nine, and proceeded to strike out the names of its opponents, especially the most eminent ones, and the committee was, therefore, both biassed and incompetent.*

§ 15. In 1771, the House of Commons entered upon a controversy with the printers who were more and more fully reporting the debates of the House, and thus forcing on Parliament a sense of its responsibility to the nation at large—a responsibility which the Parliament denied. The right to keep their deliberations secret had been won in early times by the House of Commons as a protection of themselves in their early weakness from the oppressions of government and for the security of free speech. The greatest “stranger” that ever entered the House of Commons was Charles I. (the instance of Cardinal Wolsey in 1523 is disputed), and his visit to the Parliament had been directed against the lives of at least five of their number. It had been, therefore, in early times, all-important that the debates of the House of Commons should not be reported. But, in the latter part of the eighteenth century, the English Parliament, unique among all other popular assemblies, had attained to practically sovereign power. King, Lords, and Commons, united as they were in that circle of “influence” of which we must never lose sight, were more in danger of being tyrannical to the nation at large than of falling a prey to the violence of any of their number. Hence it is that our

* Disputed elections had been at first settled by the Crown, but during the latter part of the Tudor period (especially in 1553, 1586, and 1604) the Commons had successfully asserted their claims to act as a Court of Record in such cases. By the *Election Petitions and Corrupt Practices Act* of 1868 such questions were removed from the domain of party politics, and left to the Court of Common Pleas to determine.

sympathy goes naturally with the printers in this struggle of 1771: they were the martyrs of the principles of whose triumph we now boast.

In February, Colonel Onslow, M.P., complained in the House of two newspapers, the *Gazetteer and Miller's Case*, 1771. *New Daily Advertiser* and the *Middlesex Journal*, as misrepresenting the speeches of members.* The printers of these papers, Thompson and Wheble, were ordered to attend at the bar of the House, but they kept out of the way. They were ordered into custody, but could not be found. In March, other printers were proceeded against: some attended and were reprimanded. One of them, Miller, did not attend, and was ordered into custody. Wheble caused himself to be arrested by a fellow-printer, Carpenter, and was taken before Alderman Wilkes, who discharged Wheble as unlawfully arrested against the privileges of the City, and directed him to prosecute Carpenter for assault and false imprisonment. Wilkes wrote to the Secretary of State saying he had discharged him because arrested by no constable, and in defiance of the privileges of the citizens. There were other incidents in this stage of the struggle; but the most important was the arrest of Miller by Whittam, a messenger of the House: Miller sent for a constable and accused the messenger of assault, and gave him into custody. They were both taken before the Lord Mayor, Crosby, M.P., Aldermen Oliver, M.P., and Wilkes. Miller charged the messenger with assault and false imprisonment; the messenger justified himself by producing the Speaker's warrant; and the Deputy Sergeant-at-Arms claimed both the messenger and his prisoner. The Lord Mayor asked if the messenger were a peace-officer or constable, and if his warrant were endorsed by a City magistrate; on receiving an answer in the negative, he discharged Miller, and at the same time held Miller's charge against the messenger to have been proved. As Whittam, by direction of the Sergeant, declined to give bail,

* Note that *authorized* publication of debates had been allowed in 1641, and again in 1680. But in 1728 and 1738 any publication of speeches made in the House was declared a breach of privilege: this had been done in consequence of reports of the "Senate of Lilliput," &c.

he was committed to prison under a warrant signed by the three magistrates.

Here, then, we have a legal conflict of the true English kind : as Henry II. and Becket had fought over criminal clerks, as James I. and his Parliament had fought over the right to control international politics, so now the House of Commons was fighting the City of London to decide a question of jurisdiction. And the fight was English in its methods too. Everything is done in legal way, and the instruments of the one suffer personally at the hands of another. One man, Whittam, touches another man, Miller ; Miller accuses Whittam of assault ; the judges know nothing of Whittam's official character, and sentence the man Whittam, not the Deputy Sergeant of the House of Commons, to imprisonment. And the House of Commons, to vindicate the action of their officer, summon the members, Crosby and Oliver, to their places in the House, and the man Wilkes to the bar, and in turn exercise their jurisdiction. For law is no respecter of persons, whether that of the House of Commons or that of the City of London. The two jurisdictions have come into conflict, and there is no other way of settling the matter.

After Whittam's committal, he was admitted to bail on his own application. The House of Commons ordered Crosby and Oliver to attend in their places, and Wilkes to appear at the bar. The Mayor, in his speech, justified himself by reference to the charter of the City, and desired to be heard by counsel. While this point was under discussion, Crosby was allowed to go home on a plea of illness, and in the end it was decided that counsel might be heard, but only on such points as did not controvert the privileges of the House. The clerk to the Lord Mayor was ordered to attend at the bar of the House with the book containing the recognizances of Whittam, and was ordered to expunge the entry, an order which he obeyed. Then the House ordered that no prosecution should be commenced against the messenger for his pretended assault. However, he *was* indicted, and a true bill was found against him by the grand jury, and he was saved only by the Attorney-General entering a *nolle prosequi*.

As to Wilkes, he had claimed, in virtue of his Middlesex

election, to take his seat in the House, and they, afraid to argue points with such an "old parliamentary hand," discharged their order for his attendance. They were bolder, however, to Crosby and Oliver: they resolved that the privileges of the House had been violated; the two City magistrates were voted guilty of breach of privilege, and committed to the Tower. They sued out writs of *habeas corpus*, but the Court held that the legality of their committal could not be impeached, and they remained in prison till the prorogation of Parliament in May, when they were *ipso facto* released. Thus the House of Commons obtained the technical victory, but the ovation which their victims received on the way to the Tower, the visits they received from the Opposition leaders during their detention, and the triumphal procession back to the City on their release, taught the House of Commons never to enter into another contest with the printers. Henceforward there was, practically, freedom of reporting, and, as a necessary consequence, the reports became fuller, fairer, and more correct. The right of publication was finally established in the case of *Wason v. Walter*, 1868.

§ 16. In 1773 the quarrel with the Colonies again began to be serious; in 1770, Lord North had repealed all the taxes that had been imposed except the tea-duty, which, though bringing in but £300 a year, had been maintained by the British Parliament as a matter of principle. There had been riots in America, the leaders of which Bedford had proposed should be deprived of their right to be tried by jury; there had been resolutions promoted by the "Sons and Daughters of Liberty" to use none of the commodities thus taxed. But after this repeal matters had quieted down comparatively, when a foolish bit of policy led to the renewal of the bitterness. The East India Company was in financial difficulties (iv., § 8), and, among the remedies which Lord North proposed, he allowed them to ship to America certain tea which then lay in their London warehouses without paying the import tax into England of 1s. a lb. The American Colonists would thus get their tea cheaper than otherwise, if they would only

The American
Quarrel,
1767-1773.

consent to pay the 3*d.* duty which the British Parliament had maintained. It seemed so simple to Lord North that the Colonists would be glad thus to compound the matter. But the Colonists, like John Hampden in 1638, were not to be deceived by the smallness of the amount: there was a principle at stake, and they held with Shakespeare that—

“Rightly to be great
Is, not to stir without great argument,
But greatly to find quarrel in a straw
When honour's at the stake.”

The tea was everywhere refused admission, and certain bolder spirits in Boston, fearing that the delay of the ships in the harbour might give occasion to smuggle in the tea, disguised themselves as Indians, boarded the ships, and emptied the tea-chests into the harbour. The people of Massachusetts—who headed the struggle in the North as those of Virginia in the South—had already a quarrel with their British-appointed governor, Hutchinson, who had been writing reports to the Home Government which displeased them, and they had sent Franklin as their representative to England to demand his recall. The tea was destroyed in December, 1773: in January, 1774, the petition against Hutchinson was dismissed as frivolous and vexatious, their envoy was insulted in the Privy Council, by Wedderburn, Solicitor-General, and dismissed from his lucrative office of Postmaster for the Colonies.

In the following March and April, Parliament passed two Bills—the *Boston Port Bill*, which transferred all its privileges to Salem, and the *Massachusetts Bill*, which reconstituted the government of the Colony and restricted its privileges: the Council was to be nominated in England as well as the magistrates. So England thought to punish the rebellious city and plantation. The reply of Massachusetts was prompt: the ejected Assembly met at Concord, appointed a Committee of Public Safety, and organized a force of 12,000 “Minute Men”—militia bound to serve at a moment's notice. The American reply was a Congress of twelve Colonies, Massachusetts and Virginia leading, Vermont, Rhode Island,

The Boston Tea
and the Petition
against Hutch-
inson, 1773.

The Congress at
Philadelphia,
Oct., 1774.

Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the two Carolinas following. Georgia alone was unrepresented. It was held at Philadelphia, and when General Gage, Governor of Massachusetts, issued a decree declaring the Congress unlawful, it continued to sit, and issued a *Declaration of Rights* (Oct., 1774) in which they stated—

that they had lost no liberties by their emigration; that they still claimed the right to representation, self-taxation, free discussion, and local juries, all of which had been recently violated; and that, pending a redress of grievances, no imports from or exports to England be allowed.

The quarrel was evidently becoming serious, but the King found support in the country, for the general election of this year returned a majority in favour of his Ministry, and we shall see (§ 17) that, though Chatham was in opposition as well as Burke, and was joined about this time by Charles James Fox, the majorities were still in favour of coercion in America, and totally opposed to all yielding. This election marks also the end of Wilkes' career: he was elected for Middlesex, with his colleague Glyn, and was also Lord Mayor of London. On different occasions he proposed motions to rescind the resolutions previously passed against him, and, after many rejections, he succeeded in his personal aims with the triumph of his Whig friends in 1782. It is said he lived to be presented at Court!

§ 17. In 1775, Lord North began the policy of yielding to the Colonies, point after point, the questions in dispute, and always with the fatal mistake of being just too late. He produced a scheme in Parliament according to which no taxes were to be laid on the American Colonies so long as they taxed themselves with the approbation of the King and Parliament. But before the news of this could reach America the first battle had been fought: that skirmish at Lexington, arising out of General Gage's expedition to destroy a certain stock of ammunition that was collected at Concord, marked, with the lives of 270 Englishmen and 100 Americans, the

State of feeling
at home, 1774.

The Skirmish at
Lexington,
April 18th, 1775.

beginning of civil war. Henceforward both England and the Colonies were desirous of peace and a settlement of the quarrel; but the Americans were anxious to get terms which should secure them against vengeance for acts of violence, while England required that they should submit as rebels.

Congress gave to the loosely formed union a name—the “United Colonies”—and approved of the conduct of Arnold and Allen, who had in May marched on Canada in the hope of finding a population discontented with the constitution recently granted in the *Canada Bill*, and taken the forts of Ticonderoga and Crown Point on L. Champlain,* while at the same time they sent the *Olive Branch Petition* to George III. In September, George refused to receive the “Olive Branch” because it came in the name of the Congress, an unlawful assembly: he would receive the submission of each Colony, but not of “Congress.”

Meanwhile, Congress had asserted its right to override all local authorities in the carrying out of war measures, and had appointed George Washington, of Virginia, General of their army. Before he took the command and began to enforce something of unity and discipline amongst his troops, the battle of Bunker’s Hill was lost by the Americans in an attempt to gain a position commanding the British position in Boston (June 18th, 1775). At the very end of the year Carleton succeeded in beating off an American force under Generals Montgomery and Arnold from Quebec (December, 1775). England also resolved on military measures; and the *American Prohibitory Bill* repealed the Boston Port Act as no longer suitable, and warranted the seizure of American ships, goods, and men who were to be pressed into service, while at the same time commissioners were appointed who could receive the submissions of the penitent.

In the spring of 1776, Gage’s successor, General Howe, evacuated Boston† and retired to Halifax, there to wait

* See Map 26 in Keith Johnston’s *Half-Crown Atlas of English History*.

† Washington having occupied the Dorchester Heights, which command the town on the south, as Bunker’s Hill does on the north.

for reinforcements from England. These arrived under his brother, Admiral Lord Howe, and consisted of Germans bought for service from the Duke of Brunswick and the Landgrave of Hesse, the neighbours of Hannover. Admiral Howe also brought with him the resolutions of mercy to the submissive, which had been made in England; but again they arrived just too late, for, on July 4th, the Congress, following the lead of Lee of Virginia, had issued the *Declaration of Independence*—carried by a bare majority of one—from which the “United States” dates itself as a sovereign political body. The position had essentially changed. England regarded the Colonies as disobedient: they regarded themselves as owing no obedience, and claimed henceforward to be regarded as the equal of England, to be admitted to the international society of Europe. Within two years (§ 18) they were to attain the object of their desire.

The main idea which the English generals formed as to the best method of conducting the war was to seize certain points on the seaboard of the rebellious country, and, landing troops at each, both north and south, combine with inroads from Canada to crush the rebellion in all parts. To carry this out, Howe had despatched Clinton to seize Charleston, while he himself occupied Sandy Hook. The former expedition failed, but later the two Howes, with nearly 30,000 troops, drove Washington’s force, some 25,000 in number, out of Brooklyn, secured New York, and almost captured Washington himself. This was in August, 1776. On the other hand, the operations of the Colonists caused the greatest astonishment: for the Colonies, as we have already seen (§ 8), were extremely varied in their traditions and temperament, they united only under the enormous pressure of British tyranny, and they made their union of the slightest. Congress had appointed Washington their General, and tried to raise men and money for him; but each Colony tried to avoid the burden of the war, bid against one another for recruits, and, in general, did the best they could to make the war a failure. Washington was almost always on the defensive, supplied with nothing in proper quantities, and the final

*The Declaration of
Independence,
July 4th, 1776.*

English and
American Plans of
Campaign.

triumph of the American cause arose from the weakness of the mother country.

During the autumn of 1776 the the English overran New Jersey and Delaware, but before the year was out a successful surprise at Trenton marked the turn of the tide; and in the spring of 1777 Washington cleared New Jersey of English troops, driving them to New York and Rhode Island. In September, Howe captured Philadelphia, and in the battles of the Brandywine River and Schuylkill forced Washington to retreat to Valley Forge, not far from Philadelphia.

The greatest event of the year, and the first crisis of the war, took place at Saratoga, near Albany; for there Burgoyne, marching from Canada in concert with Clinton, who was to advance from New York, was obliged to surrender with all his army to the American General Gates (October 17th).

§ 18. This event is important in the military history, but it was far more important in diplomacy: it brought to a satisfactory conclusion the negotiations which Franklin had been conducting in Paris ever since the Declaration of Independence, and, by showing to France that there was a reality in the revolt, decided the Bourbon rulers of France and Spain to acknowledge the United States as a sovereign Power, and to make a treaty with them (February, 1778). This was primarily a commercial alliance in which the two Powers promised mutually to treat one another on the footing of the most favoured nation, and laid down the principle, which neutral states were beginning to assert against belligerents, that "free ships make free goods" (§ 21); but there was also an alliance mutually defensive and offensive against England.

"In case England should declare war against France" the two Powers would make common cause against her. The object of the alliance was to be the independence of the United States and the inclusion in their union of all British territory in North America, to which, accordingly, France renounced all her old claims. Neither was to make peace without the other's consent, and specially without an acknowledgment by England of the independence of the U.S.A.

The Franco-
American Alliance
and International
Law.

Much will be found by the curious reader of text-books on International Law with reference to the duties of States towards the internal rebels of their neighbours. In them will be found duly set forth the distinction between an acknowledgment of "belligerency" and an acknowledgment of "sovereignty." The former is more allowable than the latter: for it may happen that when a rebellion assumes formidable proportions it may be absolutely necessary for the safety of commerce that neutral States should have some temporary authority in the area of rebellion to which to appeal, and with which to negotiate in the absence, during the temporary success of a rebellion, of the ordinary powers of government. A good example of this condition of things is seen in the American Civil War of this century, when it was necessary for the European States to recognise the Southern Confederation as a "belligerent," not as "rebels."

But the acknowledgment of a rebellious Government as a "sovereign Power" implies an assumption on the part of the State so recognising it that the rebellion has been successful, that the former Government has ceased to have rights over the area of "rebellion," and that a new State has come into existence which should, in the opinion of the State so recognising it, be treated, even by the Power against which the rebellion is directed, as an equal in international society. When a "rebellion" has been maintained for a long period of time, the State from which the rebels have broken away cannot, in the opinion of international jurists, fairly complain if other States recognise the *status quo*, and treat the successful rebels as a sovereign Power. For example, Spain did not acknowledge the independence of the United Netherlands till 1648, some eighty years after the revolt had commenced, and certainly fifty years after its success was practically secure; there could be no proper objection, therefore, to the recognition of their sovereignty by the other European Powers.

The Franco-
American Alliance
and International
Politics.

But the text-books have never been able to define the necessary length of this period; and it has been left to the good feeling of the States to determine when they may, without fearing public blame, recognise the sovereignty of a

Government arising out of rebellion. It is therefore idle to discuss, as some have done, whether France was justified on this occasion in thus recognising the independence of the United States of America, or whether she was premature in her recognition of them; and we are saved the trouble of discussing it by knowing that France intended the recognition to be an act of war against her ancient rival of the sea. The Bourbon Powers had lost their North American colonies, and the English power had risen on their ruins: England, the naval and colonial State, was the dominant Power of the latter half of the eighteenth century, as France had been of the seventeenth, and Austria of the earlier part of the eighteenth; and we shall see how, as the war went on, all Europe joined against her, as they had fought against France, and then against Austria.

§ 19. The effect of this treaty with France on the quarrel between England and the Colonies was to close the door to all negotiations between the enemies, except on the basis of perfect equality, and the acknowledgment of American independence. Now the feeling in England may be judged from a speech of Lord Chatham's in the House of Lords in November, 1777: he moved an amendment for the address to the Crown to arrest the misfortunes in America, in which he proposed the unconditional redress of the colonial grievances and the repeal of the penal statutes; but when in the course of debate it was suggested that the Colonists were seeking help from France, he blazed out into indignation, and demanded, instead, war against the Americans.* And this was the universal opinion: the Opposition might urge on George III. that his treatment of the Colonists was unwise, ungenerous, and impolitic, but all were agreed that the Colonists must not be allowed their independence.

* There was some talk of North resigning in favour of Chatham, whose name might have attracted the Americans and frightened off France. The King persuaded North not to "desert" him, and the scheme fell through.

But this was the one point on which the Americans had pledged themselves to their ally, France. The constitutional question had become international, and could be settled only by an international treaty. From this point of view it may be seen how vain were the hopes expressed in the *Conciliation Bill* of March, 1778, in which the Parliament agreed to recognise all officers who had been appointed by Congress, and to appoint commissioners to discuss and arrange all the parts of the quarrel but independence. The commissioners were told, on their arrival in America, that no questions could be considered till the British fleets and armies were withdrawn, and the independence of the Colonies acknowledged. Against such a concession, and above all in favour of war with France, Chatham made his last speech in the Lords, May 11th. But two months before that England had declared war against France, and thereby not only brought the Franco-American Treaty into working vitality, but roused the hostility of the natives in India and on the high seas. Of India we shall speak in a later chapter (Chap. ix., § 9): the military events of the American War we shall now follow.

In the spring of 1778, Clinton, the British commander, who had succeeded Sir William Howe, held War operations in 1778-80. in America only New York and Rhode Island, and the latter was attacked by a joint French and American expedition, which, however, failed because of the arrival of a superior English fleet. Dominique was taken by the French Admiral D'Estaing in September, and the forts in Senegal in the following January: on the other hand, England took possession, in September, of the little islands of St. Pierre and Miquelon, which had been granted to the French for fishing purposes (§ 4), and later in the year they occupied Georgia and captured the West India island of St. Lucia.

In June, 1779, Charles III. of Spain, whose fortunes had risen steadily through the policy of Family Compacts (§ 3), fulfilled the conditions of that famous alliance by a declaration of war against England, though fearful of attacks on his South American Colonies. In July the united French and

Spanish fleets cruised in the English Channel; and Admiral Keppel, who had fought an indecisive battle off Ushant in July, 1778, was unable to defeat them. But the French lost Goree, in Africa, though they captured St. Vincent and Grenada, two West India islands.

In January, 1780, Admiral Rodney set out with an English fleet to relieve Gibraltar and Port Mahon in Minorca, with the siege of which the Spaniards had begun the war. He won a decisive victory off Cape St. Vincent (Jan. 16), relieved the two fortresses, and sailed for the West Indies.

In May the English succeeded in capturing Charleston and securing military possession of South Carolina, defeating at Camden the American General Gates, who had been sent against them. But, while winning victories in the South, the English lost, in July, Rhode Island, which was conquered by a French fleet under Rochambeau. It is to this year that the story of General Arnold (§ 17) and Major André belongs, which has been told so often. Every one knows how Arnold, in possession of an American post at West Point on the Hudson, was negotiating with the English General Clinton to deliver his fort to the enemy. How Major André was sent by Clinton to complete the matter, how he was imprudent enough to dress as a civilian and enter the American lines, how he was seized on his way back (Sept. 17), searched, tried, and condemned as a spy, and how, in spite of all efforts to gain a reprieve, he was finally hanged by Washington's orders, is an oft-told tale.

§ 20. During the years 1779 and 1780 the English drifted into a quarrel with their ancient allies, the United Netherlands: we have already seen that the alliance commenced in 1668 led to the personal union of the two countries under

Review of
English relations
with Holland.

William of Orange; that the alliance was still strong throughout the war of the Spanish Succession till the treaty of Utrecht, 1713; that the Netherlanders then, protected, as they thought, by the line of barrier fortresses garrisoned for them on the southern side of the Spanish territories, sank in military power, and followed the lead of England in the tangle of wars called the War of the Austrian Succession—

only unwillingly ; and that they held quite aloof and neutral during the Seven Years' War. And now, the commercial rivalry of the two peoples had rent them quite asunder: the predominance of England on the high seas, which Holland had suicidally helped her to build up, was now a sore vexation to the merchants of Amsterdam. We have now to trace the petty quarrels which led to the final rupture.

England complained that the Dutch provided the Americans with timber for the building of their ships, which she alleged was contraband of war—*i.e.* an article which neutrals might not supply to one belligerent without being subject to seizure by the other. In March, 1780, England demanded from the Netherlands the help which they were bound by the alliance of 1678 to furnish. There were two parties in the Netherlands, now as at all time (*e.g.*, 1672, 1688)—one devoted to the Orange family, the stadtholderate and England, the other to commercial interests and France: the former demanded the strengthening of the army in order to furnish treaty-help to England, the latter demanded the strengthening of the navy to protect their commerce against the attacks of English privateers. In the balance of parties neither was done.

Paul Jones, an American privateer, put into Texel to refit, taking with him two English frigates which he had captured. The English Minister at the Hague demanded not only the surrender of the two frigates, but the extradition of Paul Jones, whom he treated as a rebel. The Netherland Government refused both these demands, but they refused to the American anything more than absolute necessities, and ordered him to leave Texel. In revenge, the English attempted to board, for purposes of search, some thirty Netherland ships laden with timber, and the result was a battle in which the Netherland men-of-war were taken, but the merchantmen escaped. This was in December, 1779.

Nine months later, an American vessel, bound for Holland, and having on board Henry Lawrens, ex-President of the American Congress, was captured by the English. They found among the papers the sketch of a treaty between the Netherlands and the United States, signed at Amsterdam, Sep-

Quarrel with
Holland,
1779-80.

Paul Jones :
Henry Lawrens,
1779-80.

tember, 1778, by John de Neufville, claiming to be authorized by the pensionary of Amsterdam, and by William Lee, Commissioner of the Congress. The Netherland Government disavowed the treaty, but refused to punish the negotiators, and England thereupon declared war on the Netherlands (December, 1780). The declaration was hastened because the Netherlands were contemplating adhesion to the Treaty of the *Armed Neutrality of the North*, and would be guaranteed protection by the Allied Powers if the declaration had followed their signature of the treaty instead of preceding it.

§ 21. The law regulating commerce by sea between belligerents and neutral States has varied much in different periods: during the eighteenth century, the Power which was most powerful by sea was wont to enforce its claim to search the vessels of neutrals, and to confiscate whatever they found in them that they regarded as contraband of war. France had first enforced this during her period of strength: after 1745, when England had risen to the place of predominancy, she had taken up the French position. In contradiction to this practice, the Dutch, whose trade principally consisted in carrying goods for other peoples, insisted on the principle that the neutral flag should protect all the goods in the ship carrying it from capture, or—to use the jingling phrase which briefly expresses this position—the Hollanders believed in “free ships making free goods.” Of course this position was maintained by neutrals, as they could thus make lucrative commerce out of other people’s wars—specially those Northern nations that supplied timber, cordage, and other implements of naval warfare.

Now France and Spain, at war with England, were desirous of stopping the supply of such goods to England, while England was also desirous of stopping their supply to the Bourbon Powers, and, as she was stronger by sea, she was more able to control this trade to her own benefit than were her enemies. Accordingly, Spain found herself of one mind with the neutral Powers in wishing to put a stop to England’s interference, and she proceeded so to harass the Russian merchant ships trading in the Baltic in the hope that

Neutral flags and
contraband of
war.

the Empress Catharine II. would, in self-defence, begin to insist on the neutrals' doctrine.

The
Armed Neutrality
of the North.

The question of the right of search had a further side issue as to the right of merchant vessels to be protected from search if they were accompanied by men-of-war of their own country, which were supposed to give a kind of guarantee of their honesty of intention, and the insistence by the English, in 1779, on the search of certain Dutch vessels thus escorted, finally decided the Empress of Russia to issue a manifesto in February, 1780. This document laid down three principles :—

1. That neutral vessels may sail freely from port to port, and on the coasts of belligerents.
2. That goods belonging to the subjects of belligerents shall be free from seizure on neutral vessels, except contraband goods.
3. That a blockade to be effectual must be real.

The explanation of the last of these lies in the fact that England, having a far-extending naval war on hand, and limited fleets with which to conduct it, adopted the practice of declaring an enemy's ports to be blockaded, and capturing vessels bound thither, though there were none of her ships near the entrance of those ports to enforce the blockade. This was considered an abuse of the right of blockade.

Denmark and Sweden followed almost immediately with similar declarations, since they were the Powers most interested in the question, and Denmark further added a declaration that the Baltic Sea (whose approaches she held) was closed to all men-of-war in favour of peaceful commerce. In July and August these three Powers made the Conventions of Copenhagen and St. Petersburg, and thus came into existence the *Armed Neutrality of the North*, directed, of course, against all the belligerents, but especially England. Holland had been early invited to accede to the Northern Alliance, but the complexity of her ultra-federal Constitution delayed the negotiation. Her accession was not notified till January, 1781, a month after England had declared war against her; and the allies were therefore excused affording her the active help she requested.

Prussia and Austria acceded to the Alliance in May and

October of the same year; Portugal in July, 1782; and the Two Sicilies in February, 1783. Save in its contributions to International Law, the Armed Neutrality "proved," as Stanhope says, "barren of results, and little more than an imposing name."

§ 22. And thus, by the end of the year 1780, England was in serious difficulties internationally: her Colonies were asserting their independence; France and Spain, her ancient enemies, had joined them, and were disputing England's rule of the seas; even Holland had renewed the old commercial war; and the Powers of the North, without declaring war, were strengthening themselves to assert what they believed to be the rights of neutrals against the dominating Power on the ocean. And while this was the condition of international politics, affairs at home were almost as bad. Of course, the Opposition in Parliament were maintaining the side of the Colonists; Chatham fell dying in the House of Lords (May, 1778) in the midst of a debate in which he was maintaining against the Duke of Richmond his impossible position of yielding to the Colonists everything but independence, while refusing to enter into negotiations with any ally of the eternal enemy, France. In addition, Dunning was beginning that cry for reform which, by means of monster petitions and public meetings, was to swell louder and louder (Chap. III., § 4); Ireland was in agitation (Chap. v., § 7); and the progress of the movement for removal of religious disabilities at this time (III., § 8) brought about a curious episode.

In 1778, Sir George Savile (a Yorkshire Whig) had succeeded in repealing the severe Act of 1700 against Catholics, which had put heavy penalties on the celebration of the Mass, and disabled Catholics from acquiring land save by descent, and even then under many limitations, evasible, it is true. The measure had been followed up in the next year by an Act relieving Dissenting ministers and schoolmasters from subscribing to the Thirty-nine Articles. With the latter measure the nation at large perhaps sympathised, rather than otherwise; but Catholic Emancipation was still a thing

*No Popery Riots,
June 2-7, 1780.*

of horror to King and people alike. Accordingly, Lord George Gordon, a weakling enthusiast, found it easy to stir up anti-Catholic riots. At the head of some 60,000 men he endeavoured to intimidate the Commons. He was, however, repulsed; but for some days, during May, 1780, London was in the hands of a lawless mob, because the magistrates were afraid of committing a technical offence in ordering the military to act. The English law is peculiar in this respect: that no person is protected from the legal consequences of his actions by any official position—as we have seen in the cases of Wilkes and the London printers (§ 15). The effect of this is that a soldier may be tried by court-martial for refusing to fire when ordered, and brought to trial on a charge of murder before a jury for killing any one if he obeys his superior officer.

Now the magistrates thought it was necessary to read the proclamation contained in the Riot Act passed in 1715 before the firing of the soldiery could be legalised, and, as they could find no opportunity of complying with this technical requirement, the necessary orders were not given, and London was at the mercy of disorder. At last, George III. solved the problem by asking the judges whether a man ceased to have the duties of a citizen, specially the duty of keeping order, when he became a soldier, and, on receiving from Wedderburn the matter-of-course answer in the negative, ordered the military out, and the riot was quelled, with the death or wounding of some 500 rioters. Lord George himself was accused of high treason, but was acquitted, and some years later died a Jew.

§ 23. The war in 1781 was waged both by land and sea, wherever the belligerents—England on the one hand, and France, Spain, and Holland on the other—could come in contact. To the Dutch the war was uniformly disastrous: they lost Cape Colony in Africa, Negapatam in the East Indies, St. Eustatia in the West Indies, besides much of their merchant shipping. These losses were not compensated for by the fact that when the fleets, under Sir Hyde Parker and Zouttmann respectively, met off the Dogger Bank in the North Sea, in August, the

War operations
of 1781: Yorktown.

result was a drawn battle. Spain vainly besieged Gibraltar, but was more successful against Port Mahon in Minorca, which fell to De Crillon in February, 1782. They also completed their conquest of West Florida with the capture of the capital, Pensacola.

A French attack on Jersey was thwarted, when practically successful, by a young officer named Major Pierson. This was in January. But the French captured Tobago in June, and St. Eustatia later in the year; and at last, in the autumn, while one French fleet, under Bailli de Suffren, was giving us trouble in the East, another, under the Comte de Grasse, completely outnumbered the English in American waters, harassed our West Indian trade, and cut off the communication between the military position of England in North and South. The war in America had been carried on chiefly in Carolina: in January, the Americans under Morgan won the battle of Cowpens over Colonel Rawdon; but later their Commander-in-Chief in the South, Nathaniel Greene, was defeated at Guildford Courthouse by Cornwallis, who could not, however, follow up his victory. In April, the English again defeated Greene at Hobkirk's Hill, and in September the battle of Eutaw Springs was drawn. All these battles were fought in the course of a skirmishing warfare, the final result of which was that the English General, Cornwallis, who had marched northwards to join a Virginian expedition under Arnold, was cooped up in Yorktown, a village lying at the mouth of the Chesapeake. There he was besieged, and, as there was no prospect of relief, owing to the command of the sea being in the hands of the French, he capitulated, with his 4000 troops, on October 19th. The victory was well-timed, for the French were threatening to leave in the very next month, and the New Englanders were beginning to think of coming to terms. The surrender of Cornwallis entirely changed the outlook: so far as America was concerned, the war was at an end.

The news reached England just before the autumn session of Parliament, and the result was a long debate on the King's Speech, which had expressed a desire to continue the war. General Conway's motion to discontinue the

The War in 1782,
and the
Peace of Versailles,
Sept., 1783.

war in America was, thanks to the efforts of Burke, Fox, and the younger Pitt—it was his first session—lost by only one vote; and Lord North announced his intention of doing no more there but hold certain fortified places. But the war against the Bourbon Powers and Holland continued. Soon after the surrender at Yorktown all the Windward Islands, except Barbadoes and Antigua, were lost by the English; the Dutch lost places in the East Indies, but regained them through the disunion of English commanders. The hopes of the Allied Powers were rising high, but on April 12th, 1782, Rodney and Hood thoroughly defeated the Comte de Grasse near Martinique, thus saving Jamaica, and some months later De Crillon's great bombardment of Gibraltar (September 11th–13th) failed, and the commandant Elliot was relieved by Howe. This gave England a vastly superior position in the negotiations which had already begun. By the *Secret Treaty of Paris* (November 30th, 1782), the independence of the United States of America was recognised; in the January following, treaties with France and Spain were arranged; Holland agreed to peace shortly after; and in September the definitive peace was signed. Our Indian enemy, Tippu Sultan, agreed to a treaty in March, 1784 (Chap. iv., § 13).

These treaties may be summarized as an acknowledgment of the independence of the United States of America, and the cession of territory by England to France and Spain, and by Holland to England.

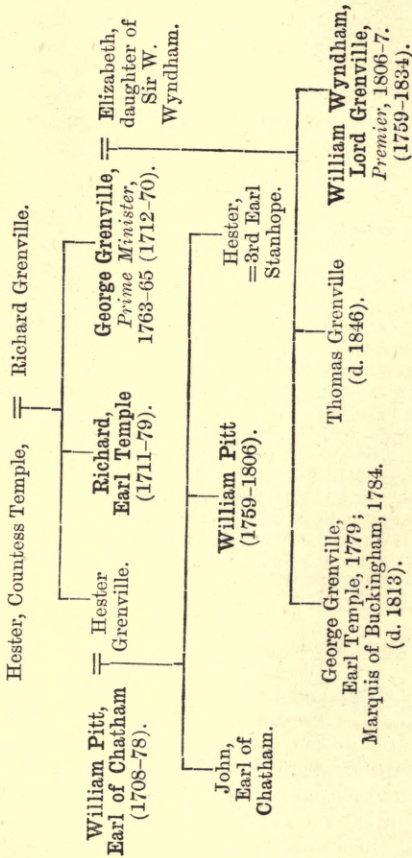
The Treaty with the United States did no more than acknowledge the *status quo*, regulate the exact boundary, and grant to the citizens of the United States the fishing rights which they had possessed as colonists.

The Treaty with France ceded Tobago, the river Senegal and lands adjoining, and surrendered the demolition of Dunkirk which France had promised in every treaty since Utrecht, but never performed. Other conquests made on both sides during the war were to be restored.

The Treaty with Spain ceded Minorca and Florida, but England retained the right to cut down logwood in Honduras, though she might not build forts there. Other conquests were restored.

The Treaty with Holland restored the places taken from the Dutch, except Negapatam in India, which it was, however, hoped the Dutch would buy back.

Stem of the Pitts and Grenvilles.



CHAPTER III.

George III.

FROM THE PEACE OF VERSAILLES TO THE TREATY OF AMIENS (1783-1802).

§ 1. The position of the War of American Independence in the Eighteenth Century Wars.—§ 2. The Constitution of the United States.—§ 3. Economical and Social Changes in England: consequent demand for Political Reform.—§ 4. Review of Home Politics and Reforms, 1766-1782.—§ 5. The Shelburne and Coalition Ministries, 1782-3.—§ 6. William Pitt, Premier, December, 1783: his relation to Political Parties of the day and his early difficulties.—§ 7. The *India Bill* (1784); Pitt's Economical Reforms: the Regency Question, 1788-9.—§ 8. Essays towards the Removal of Religious Disabilities.—§ 9. Facts and Theories leading up to the French Revolution.—§ 10. Pitt and the French Revolution, 1789-1795.—§ 11. International History from Napoleon's First Great Campaign in Italy, 1796, to the *Treaty of Amiens*, March, 1802.—§ 12. English Views on the French Revolution: Pitt, Fox, and Burke.—§ 13. Whig Projects of Reform, 1790-1793.—§ 14. The Suspension of *Habeas Corpus* Act, 1794-1801: its significance.

§ 1. THE whole sheaf of treaties called the *Peace of Versailles* is concerned with America, Africa, and India. The war had been strictly non-European: the States that had taken part in the war had scarcely been the countries called in the maps England, France, Spain, Holland, but rather the colonies and foreign possessions of these Powers. If it were not pedantic, we should say, not France fought against England, but French navies fought against English navies, Indian allies of France fought against Indian allies of England, &c. And the clear way in which we can see this in the treaties of 1782-3 should teach us how to regard the

The import of the
War of American
Independence.

earlier wars of the century. We have already pointed out how, in the Continental wars of the first half of the eighteenth century, England was concerned in them not merely as a Continental Power, but as the American and Indian rival of the Bourbon Powers, that she never engaged in them for the sake, at least mainly, of the "Balance of Power," of the "Pragmatic Sanction," of the "liberties of Europe," or for any of the high-sounding phrases with which the mouths and even the minds of statesmen were full. We see now, in the light of this American war, the full force of Pitt's words: "We won America on the fields of Germany."

And why did we lose America? Partly, perhaps mainly, because we ruled the Colonies unwisely, and blindly drifted into quarrel with them, but also because France and Spain had nothing else to do. We had a King who was an Englishman first, and Hanoverian after. Hanover had declined before the growth of Prussia, and Prussia, Austria, and Russia were busy, while we were drifting into war, about Eastern questions, and agreeing for the sake of peace to effect that increase of territory for each which is known as the *First Partition of Poland* (1772). This event, which has, with its later developments, so affected the minds of modern Englishmen, does not belong to English history: and the other events which make up European history till the outbreak of the French Revolution do not need to appear in Histories of England, because England did not use German affairs to stir up other enemies to the Bourbon.

§ 2. Before we turn to the history again, it will be well to study the Constitution of the United States, the new sovereign Power whose birth we have chronicled. This, because the newly enfranchised Colonists resolved, in the necessity of forming some government for their new State, to imitate as far as possible the Constitution of England. They had learnt from Montesquieu, the author of "The Spirit of Laws" (1748), that there were three departments of government—the *Executive*, the *Legislative*, and the *Judicial*; that where these were in the same hands the government was despotic and bad, where they were in different hands it was good. England had been, by

Montesquieu.

Montesquieu, pointed at as the best governed country of Europe, because it had fulfilled these conditions. The King and his Ministers were the Executive, Parliament was the Legislative, and the body of Judges was independent of both.

Accordingly, when, in 1787, the United States revised the loose Union they had worked with since 1778, they proceeded to make a Constitution as like to England's as possible, with certain modifications for which the Whigs

The Constitution
of the
United States,
1787.

were then agitating.

But the Colonists had an initial difficulty: they had grown up, as we have seen (Chap. II., § 8), with different religions, history, and prejudices, and their only bond of union was their common desire of freedom, at first from external taxation, then from British rule. They were not willing to grant to the Government they were creating any more power than was absolutely necessary: they wished to retain as much control as possible over their local matters in the hands of the respective States. One reason for the almost failure* of the War of Independence had been their mutual jealousies, not only of each other, but of the General and Congress of the Confederation. The Constitution of the United States, therefore, is a treaty between the States agreeing together to give up to a central authority, created by the treaty, only such powers as are therein expressed. All that is not expressly granted to the central authority remains within the sole competence of the local authority.

The Americans wished to have a King and his Ministers, to be the Executive as in England: they had therefore an elective king, called President, chosen for four years by a curious process of double election. The people of each State choose persons from among themselves in number proportionate to the population of each State, who then proceed to choose the President and Vice-President for the ensuing four years. The original theory was that the people would choose the wisest of their neighbours, who in turn would choose the wisest citizen of the Republic. In practice, however, it has worked quite differ-

I. The Executive.

* See Mr. Fiske's *Critical Period of American History*, 1783-89.

ently. The people choose only those electors who pledge themselves beforehand to elect the nominated candidate of one of the rival parties: they vote the Republican or Democrat "ticket." The *President* has full executive powers, can declare war and make peace, issue coinage, paper-money, &c., and he has the right of vetoing Bills of Congress, unless they are passed by a two-thirds majority in both Houses: and this right of suspensive veto is exercised freely every year.

He appoints his Secretaries of State and other executive officers, who are responsible to him alone, unless by the means of impeachment. And, according to the principle of our *Act of Settlement* (see Chap. 1., § 9), and the many place Bills which were proposed throughout the eighteenth century, they are forbidden to sit in Congress. The Chancellor of the Exchequer cannot defend his own Budget before the House that votes the supplies: he can only send it as a President's message, to be then discussed in his absence.

Congress was to be like the English Parliament: it consists of two Houses, the *Senate* and the *House of Representatives*. The members of the former are elected by the Legislatures of the various States, two from each, and sit for six years, a third of the members vacating their seats every two years.

The members of the "House" are chosen by the people of each State, according to population, and the franchise is regulated by the laws of each State, though the "Constitution" has certain rules on the subject—*e.g.*, one which forbids any political exclusion on the ground of colour.

The powers and privileges of Senate and House are similar to those of the Houses of Lords and Commons in England. Money Bills must originate in the "House"; the "House" may impeach an officer of State before the Senate, who constitute the judges but can sentence only to loss of office and ineligibility.

Finally, the judges are independent of both Legislature and Executive; for their offices, however obtained, are held "for life or good behaviour."

But all of these departments of State work within the Constitution. The consequence is that Acts of Congress are not, like Acts of the British Parliament, almighty. It is

possible in America for a lawyer to argue that an Act of Congress or section of an Act on which the opposite side relies is "contrary to the Constitution," and for the judge to decide that he pleads correctly, thus practically annulling the Act, or section of an Act, of Congress as unconstitutional. Now, that is beyond the power of a judge in England: all the English judge can do is to find what the Act of Parliament means, and apply the law—no Act of the English Parliament *can* be unconstitutional.

When the people of the United States wish to alter an article of the Constitution, the proposal to amend it must first pass both Houses of Congress by a two-thirds majority, and must then be ratified by a three-quarters majority of the States as expressed by the Legislatures of the States or special conventions.

The whole system was intended to be as conservative as possible: it was intended to bind future generations to the decisions of their ancestors, and to make changes of the law difficult; and in this direction it has been a success. The Constitution of the United States to-day, though it has undergone modifications, some conscious, others unconscious, is substantially the Constitution of England in the eighteenth century fossilized. We have changed much—the *Reform Bill* of 1832 was a revolution, which drove the English Kingship out of politics altogether: the American President—to quote once more M. Thiers' classic phrase—still governs as well as reigns. The House of Commons has reduced the House of Lords to insignificance: the Senate is still as powerful as the House of Representatives, and, being elective, it claims to express the will of the people as well as the Lower House. And so we might work the matter out.

§ 3. Let us now turn to England, and trace so many of the steps of the English revolution as were made before 1800. George III. had triumphed when, in 1770, he persuaded Lord North to take office, and form an administration whose principle was to obey the King in all things (Chap. II., § 14). The Whigs were entirely driven from office unless they

The meaning and
inflexibility of
"the Constitution."

Economical
Changes
in England.

would consent to serve on these terms, and, with the King in possession of the wealth and patronage of the Crown, there was nothing else left to do than to accept office, or, remaining in opposition, to denounce the system of influence.

England was undergoing economic changes: machinery had been invented, the use of steam was being adopted, and the North of England was beginning to rival the South in trade. New methods of agriculture were being introduced. The fields, which had been tilled in common by the whole manor, were being enclosed into separate holdings, under the sanction of Acts of Parliament. The agricultural labourer was ceasing to weave and spin in his own house, because the new methods were destroying the economic profitableness of hand labour; and interests and communities were growing into political importance that had no share in the Parliamentary constitution. The House of Commons, consisting of members for ancient boroughs that had ceased to have importance, and were practically "owned" by members of the House of Lords, was beginning to be evidently not the representatives of the people. The newspapers had come forward to fill the gap, and, through the Press, those who were unrepresented in Parliament had made their voices heard. But the Parliament had helped the King and Ministers to attack their new critics. Wilkes and the London printers had had to fight the House of Commons, as well as the Government and the judges who claimed to decide the nature of a "libel" (Chap. II., §§ 6, 15).

It began to be felt more and more that some change must be made; that the system of influence must be broken up; that the power of the King and the great nobles to nominate the House of Commons, and bribe its members, must be checked. Accordingly, we hear much from the Whig Opposition of "economical reform," *i.e.*, of place Bills, proposals to diminish the Civil List, to abolish pensions, &c. Some few there were who advocated changes in the system of representation: far-seeing statesmen like Chatham, or reckless Radicals like Wilkes—men who, either by wisdom or wild daring, anticipated dimly the future solution. And

Consequent
Demand for Reform.

thus, intermingled with attacks on the Ministry for their misconduct of foreign affairs, and for their ill-treatment of Ireland (Ch. v., §§ 6, 7), we find such proposals as now follow.

§ 4. In 1766 the first Rockingham Ministry condemned the deprivation of military officers for their votes in Parliament (Chap. II., § 11); and it seems that the King never afterwards resorted to this strong measure.

"Economic
Reforms,"
1766-1781.

In May, 1770, Chatham suggested that a third member should be added to every county, in order to counterbalance the weight of corrupt and venal boroughs; and in the same year Dowdeswell proposed to disfranchise the revenue officers.

"The Seven Years' War had increased the National Debt and the taxation of the country. The number of officers employed in the collection of the revenue was consequently augmented. As servants of the Government, their votes were secured for the Ministerial candidates. . . . In the cities and ports . . . troops of petty officers of customs and excise were driven to the poll, and, supported by venal freemen, overpowered the independent electors." (Erskine May, I., 347.)

In 1777 the King was obliged, for the second time, to ask Parliament to pay his debts—they amounted to £618,340—and to increase the Civil List to £900,000 (see Ch. II., § 1). This gave rise to discussion in which "the large amount of Secret Service money, and the increased Pension List, were noticed, and insinuations made of covert influence and corruption." The Parliament paid the debts and increased the Civil List, but in doing so the Speaker told the King they

"had not only granted him a larger present supply, but also a very great additional revenue: great beyond example, great beyond his highest expense." (Erskine May, I., 238-9.)

In 1779 the Duke of Richmond, in the spirit of many petitions* presented by many counties and towns, "moved an

* *Petitions.* "Tumultuous petitions" had been forbidden in 1661: a petition must be approved by three Justices or by the Grand Jury of a county, and must not be presented by more than ten persons. This was done away with by the Bill of Rights; but huge petitions did not come into vogue till after the great *Yorkshire Petition* of 1780.

address to the Crown praying for the reduction of the Civil List," but his motion was decisively rejected.

In 1780, Burke, relying on the support of a great petition from Yorkshire, presented by Sir George Savile, introduced a Bill for economic reform, but it was destroyed in the committee stage. It was ultimately lost on the second reading by 233 to 190.

In April of the same year, Dunning carried a motion in the House of Commons that—

"It is the opinion of this Committee that the influence of the Crown has increased, is increasing, and ought to be diminished."

Other resolutions were also passed that the House could and ought to reduce the Civil List. The Duke of Richmond also, in 1780, proposed in the House of Lords a Bill to establish annual parliaments, universal suffrage, and equal electoral districts: it was rejected without a division.

These proposals in Parliament were supported by endless meetings in the counties, frequent petitions and continual agitation, which became greater as the triumph of popular principles across the Atlantic became more secure; and at last, when in March, 1782 (Chap. II., § 23), Lord North had persuaded the King to let him resign because of the total failure of his American policy, and the Rockingham Whigs* and their allies took office in March, 1782, they succeeded to power not on the single issue of the American quarrel, but pledged, as no other body of statesmen had ever before been pledged, to some measures of economical reform.

The Ministry introduced and passed through both Houses, notwithstanding the opposition of Thurlow, the Lord Chancellor, two Bills, one of which disfranchised the revenue officers, and the other prevented public contractors from sitting in the House of Commons. Both these measures

* *Second Rockingham Ministry.*—Rockingham, First Lord of the Treasury; Lord John Cavendish, Chancellor of the Exchequer; Camden, President of the Council; Grafton, Privy Council; Thurlow, Lord Chancellor; Fox and Shelburne, Secretaries of State. Keppel, Burke, and Dunning were also included, and offers were made to William Pitt, the second son of the late Earl Chatham, but he refused to accept any inferior office.

were based on motions made in 1779. Under the guidance of Burke, a *Civil List Bill* was also introduced which made many reforms.

The office of Secretary of State for the Colonies was abolished. "The Lords of Trade and Plantations, the Lords of Police in Scotland, the principal officers of the Great Wardrobe and of the Jewel Office, the Treasurer of the Chamber, and the Cofferer of the Household, and the six Clerks of the Board of Green Cloth were, with other rubbish, swept away" (Mahon, vii., 164). Henceforward no pension was to exceed £300 a year, the total sum not to exceed £90,000, and other limitations were made.

But, though much was done, much remained undone: the Duchies of Lancaster and Cornwall were left as they were; the Irish Civil List was still unreformed; and the total saving effected by the Rockingham Administration did not exceed £72,000 a year. And the Ministers still further disappointed public anticipation by granting away pensions themselves, before their Bill was through, so as to avoid its action. Why did the Whigs thus fail to clear away the abuses they had so long denounced? Because they could not. While the House of Commons, on whose good humour the support of the Ministry rested, did not represent the country at large, those whom it did represent must be satisfied with suitable rewards. Government and the support of Government were in a vicious circle, resting on no solid foundation, but obliged to keep up the old system, though it was rotten to the core, till the revolution should sweep it all away. But economical reform had to be tried and found wanting before parliamentary reform could be listened to. Pitt's proposal to extend the county representation was defeated by 161 to 141; and this was the best division the Reformers had down to the year before the Reform Bill of 1832.

§ 5. In July, Rockingham died, and Shelburne, who had been a follower of Chatham, became First Lord of the Treasury.* Fox, who wished the Duke of Portland to be called in, refused to serve under Shelburne and left the Ministry; while Pitt consented to become Chancellor

The
Shelburne Ministry,
July, 1782–Feb., 1783.

* *Ministry of the Earl of Shelburne.* — Shelburne (afterwards Marquis of Landsdowne), First Lord of the Treasury; William Pitt,

of the Exchequer, and thus brought about a quarrel between himself and Fox which lasted the rest of their lives. The Shelburne Ministry was not destined to long continuance: it simply concluded the negotiations, begun under Rockingham, with France and Spain, which led to the *Peace of Versailles* (Chap. II., § 23), and thus had the burden of that disastrous peace. The consequence was their defeat in the House of Commons by a coalition of the followers of Fox and North, and their immediate resignation. This coalition of Fox and North has been called a

“profligate coalition, not so much because it violated political principle, for none of these factions had much political principle to violate, as because it violated personal honour. Fox had spoken of North in terms which made an alliance between them manifestly concluded for the sake of getting back into place, equally infamous to both. The King struggled; he turned to Pitt; and the dazzling offer of the Premiership was refused by a far-sighted youth of twenty-three. Then the King was forced to go under the yoke: but this time the nation was with him, and his defeat was a moral victory.” (*Goldwin Smith.*)

The Coalition Ministry,* which came into office thirty-seven days after Shelburne's resignation, was under a Whig of second-rate power, the Duke of Portland, but had enormous influence in Parliament. It early threw out a fresh resolution of Pitt's in favour of Parliamentary reform, and then addressed itself to a problem which was to shiver it to pieces.

The affairs of the East India Company were now coming forward as matters of imperial concern: it would make too

Chancellor of the Exchequer; Lord Grantham and Thomas Townshend, Secretaries of State; Camden, Grafton, and Thurlow, as before. Also Keppel and Henry Dundas.

* *The Coalition Ministry.*—Lord Portland, First Lord of the Treasury; Cavendish, who had followed Fox in his quarrel with Shelburne and Pitt, returned to the Chancellorship of the Exchequer; Fox and North, Secretaries of State; Keppel, Admiralty. Also Viscount Townshend, Charles Townshend, Burke, and Sheridan. Great Seal in Commission.

long a digression from the course of the general story to explain these difficulties now; they will be told in a later chapter (Chap. iv., § 11): all that it is necessary to say now is that, in the early days of the Coalition, Dundas had brought forward a Bill to increase the powers of the Governor-General, and that in the autumn session of 1783 Fox brought forward in the House of Commons a Bill, drafted by Burke, for the regulation of Indian affairs, in which the main authority was to be handed over to seven Commissioners, who were to be named in Parliament and to hold office for four years, vacancies to be filled up by the Crown. The Bill displeased many, amongst others the King, who perceived, specially when the first seven Commissioners appointed were found to be all Fox's friends, that there was in the proposal an attack on his powers of patronage. Accordingly, when the Bill went up to the House of Lords, the King gave a paper to Lord Temple which he was to show to the Lords severally:—

“His Majesty allows Earl Temple to say that whoever voted for the India Bill was not only not his friend, but would be considered by him as an enemy: and if these words were not strong enough, Earl Temple might use whatever words he might deem stronger, and more to the purpose.”

The King had never liked the Portland Ministry. He had told them he would never help them: his relations to them had been similar to those of George II. and the Pelhams, in the years 1744 and 1746 (Ch. i., § 9). But in this proceeding he went further than any King had ever done before. His conduct was “generally compared to that of Charles I. in 1641.” The House of Commons voted, by a majority of seventy-three—

“That it is now necessary to declare that, to report any opinion, or pretended opinion, of his Majesty, upon any Bill, or other proceeding depending in either House of Parliament, with a view to influence the votes of the members, is a high crime and misdemeanour, derogatory to the honour of the Crown, a breach of the fundamental privileges of Parliament, and subversive of the Constitution.”

But Dunning's resolution (§ 4) was only too true: the influence of the Crown—whether due to personal loyalty or to those lower motives that we have learnt to call “bribery”

—had increased, and was increasing; and the House of Lords rejected the measure of the Ministers. Their defeat completed the triumph of the King: he dismissed them (December 18th), and confided the formation of a new Ministry to the hands of the young statesman who had shown such independence through the recent crises.

William Pitt* became Prime Minister, "and not only that, but, as the rest of the Cabinet were mere respectabilities, sole Minister, at the age of twenty-four." (Goldwin Smith.) It was perhaps a pity that he came into power in consequence of such an intrigue: he had the misfortune to be "an accomplice after the fact" in an extremely dubious exercise of that influence against which he had so vigorously protested barely two years before—

"an influence which has grown with our growth, and strengthened with our strength, but which, unhappily, has not diminished with our diminution, nor decayed with our decay."

§ 6. So the younger Pitt came to the aid of George III. as William Pitt, Premier: his father had done in 1766 (II., § 11); Whig? or Tory? but his bolder attempt was destined to have a fuller success. We shall have no further important ministerial changes to record: the occasion on which Pitt retired from office for a short period belongs to the nineteenth century. With reference to the younger Pitt as to the elder, the question has been raised whether he were Whig or Tory. We have seen him advocating parliamentary reform, and we know that direct bribery of the House of Commons ceased after the downfall of Lord North: so far we may regard him as a Whig. But, shortly after his accession to power, the outburst of the French Revolution changed the minds of Englishmen on the question of reform: a reaction set in, and Pitt, burdened with the duty of struggling for national "being," set aside for the present the desire for "well-being," and discouraged and repressed all agitation against

* *Pitt's First Ministry.*—William Pitt, First Lord of the Treasury and Chancellor of the Exchequer; Earl Gower, Lord President; the Marquis of Carmarthen and Townshend (now Lord Sydney) Secretaries of State; Thurlow, Lord Chancellor; Richmond, Henry Dundas, &c.

the existing Constitution. Hence he has been called Tory. But in truth, in the years we are considering, the party names were changing their meaning, because new questions were arising. The old discussion had been, whether it were possible to mend the old Constitution by purging it of its abuses: the Whigs had desired to purge, while the Tories—*i.e.*, the friends of George III.—had resisted the proposals. *Now* the Whigs desired to end the old Constitution by the parliamentary reform which they began to demand: this the Tories resisted. And in this new struggle, owing to the international complications, the Tories at first were completely successful. Whiggism, or the Reform Party, was reduced to a very small number: their views were regarded by the mass of Englishmen as dangerous, and were suppressed, and the further consequence was that the best men of the party remained silent and left the work of agitation to the more radical of their number—the unpractical statesmen and dreamers. When the struggle for national existence was over, and Napoleon was banished to St. Helena, the tide began to turn; but that period of the struggle lies beyond our present limits.

The Whigs were not willing that the King should win so easily; the spring of 1784 saw one of the sharpest constitutional struggles in our history. Well supported in the Lords, but weak in the Commons as he was, Pitt began by introducing a Bill on the topic which had caused the crises—a Bill to regulate the affairs of India: it was rejected by a hostile House of Commons. Then followed a period of three months, during which the Opposition, fearing that Pitt was wanting to dissolve Parliament, strove by all the means in their power to delay the dissolution. They passed resolution on resolution implicitly condemning the Ministry; they postponed the passing of the Mutiny Act (Chap. I., § 9) almost till it was absolutely necessary in order to keep the Army together; and they delayed the voting and appropriation of supplies till the State was threatened with want of money.

Now, it is generally supposed that it is the power of refusing supplies, or of refusing to pass the annual Mutiny

Pitt and the
Opposition,
Dec. 23rd, 1783—
March 25th, 1784.

Act. that gives the House of Commons the enormous influence it possesses in English politics: but this instance of 1784 shows, what is quite evident from other considerations, that the House cannot afford to proceed to such extreme measures. That the Government should be supplied with money and the right to have an army is necessary, not so much to the Government as such, as to the well-being of the country at large. The party which attempts to hamper a Ministry or coerce the King by threatening such measures as the withholding of supplies and troops, earns, as a natural consequence, unpopularity among the electors. At only one period of our history has the House of Commons refused supplies to the King, and that was when, in the Stuart quarrel, they were struggling for existence, when they believed that their own existence was all that made England worth having: it was a symptom of the approaching revolution.

And, however keen the contest between George III. and the Whigs may have been in 1784, the country was not inclined to rebellion. The only result, therefore, of the policy pursued by Pitt's enemies was to discredit them with the country, and diminish their majority in Parliament, till in March he was able to pass the Mutiny Bill, get the supplies voted, and then, sure of the support of the King and the loyalty of the people, he effected the dissolution which he now judged opportune. In the succeeding elections he won for the King and himself a brilliant victory—160 members of the Opposition lost their seats: people called them "Fox's Martyrs."

"The King had not only overcome and ruined a party which he hated, but he had established the ascendancy of the Crown, which henceforth, for nearly fifty years, continued to prevail over every other power in the State." (Erskine May, i., 87.)

§ 7. The first success of the now triumphant Administration was the passing of the formerly rejected *India Bill* (Chap. iv., §§ 11, 12), which established the system of governing that country that "shambled on in its awkwardness" till the *Indian Mutiny* (1856-8). In the next year (1785) Pitt introduced a Bill for Parliamentary Reform.

The India Bill:
Pitt's Reform Bill,
1785.

He proposed to purchase from the present proprietors of thirty six decayed boroughs the right of returning their members, and to give the seventy-two seats thus at his disposal to the counties and London: he also proposed "to purchase the exclusive rights of ten corporations for the benefit of their fellow-citizens," &c.

The ideas expressed in this Bill are sufficiently startling, specially the recognition of the "ownership" of boroughs. But the King was opposed to all reform, the Tories were equally unwilling, and others objected to the purchase clauses which would have involved an expense of £1,000,000. So the Bill was rejected by 248 to 174. Two small reforms connected with Parliament which were made about this time deserve mention: (1) in consequence of an inquiry into the legality of Fox's election (*The Westminster Scrutiny*) the poll was limited to fifteen days; (2) Parliament began its session in January instead of in autumn as heretofore.

But Pitt's fame at the time was based on his financial schemes: "the foot of Adam Smith* was on the steps of power." Pitt found that the duty on tea was half lost because so much was smuggled, and that there was also much smuggling of spirits in the country. He cut at the root of this practice in two ways: by the *Commutation Bill* he reduced the duty and thus diminished the profits of illegality, and at the same time, by a "*Hovering Act*," he extended the area of revenue jurisdiction to four leagues from the coast. These measures were passed in 1784.

In 1786 he made a commercial treaty with France by which the tariff on French wines and other commodities mutually supplied was reduced, and in consequence the Methuen Treaty, made with Portugal in 1702, was necessarily abrogated because it had given certain exclusive rights to Portuguese trade (esp. in wine). In the same year he carried his measure for the reduction of the National Debt, now standing at over £200,000,000, by means of a sinking fund. One million a year was laid aside to accumulate by compound interest towards paying off the debt. The expedient was at once given up when the next French war

Pitt's
Financial Measures,
1784-1792.

* *Wealth of Nations*, published in 1776.

broke out; but by that time Pitt's general skill in finance had pulled up the funds from 56, where they were standing in 1784, to near par.

In November, 1788, the King became mad; and it was of course necessary to make arrangements for a Regency. But Parliament happened to be prorogued, and, without the King's order, the session could not commence. The Ministry were therefore in a difficulty: fearful of committing an illegality by disposing of governmental powers without due authority, they were yet prevented from obtaining that authority by the very disaster which necessitated the disposition. Such a case had not occurred since just a century before, and the two cases of 1688 and 1788 curiously illustrate one another. Then, as we have seen (Chap. I., § 8), James II. by his flight had made it impossible to go on with the government of England according to constitutional rules: in this plight the statesmen of the time had called together a Convention which, believing itself incapable of legally acting, nevertheless chose William and Mary sovereigns of England, who then, as King and Queen, called the Convention a Parliament, and the body thus created by a fiction legalised its own actions. How absurdly illogical! And yet in 1788 the same process was observed: the Houses of Parliament were summoned; they appointed Commissioners to open Parliament; the Parliament thus opened, by a retrospective Act, justified the action of the Commissioners; and the discussions could begin how to arrange for the Regency. Again we exclaim, How absurdly illogical! But how could the difficulty be otherwise solved? The discussions thus rendered possible illustrate also the position of parties and the constitutional struggle. The Prince of Wales had, like all Hannoverian heirs to the Crown, joined the Opposition to his father's Ministers; and Fox, the leader of that Opposition, therefore argued that the Prince was, *ipso facto*, the ruler of the country. If Parliament recognised this principle, Pitt would be dismissed in favour of his rival. He therefore claimed, on the contrary, that Parliament had a perfect right to dispose of the Regency, and proposed that the Prince should be appointed as Regent; but, as he expected the King to recover, and wished that he

The
Regency Question,
1788.

should find everything as nearly as possible in the same condition, he proposed certain limitations on the Regent's power, refusing him the right of creating peers,* or granting places for any term except His Majesty's pleasure, and he also left the Queen in charge of the King's person and household. During the discussion, the King recovered, and was naturally grateful to Pitt for the care he had shown of his interests during his illness. But nothing was done to provide against the recurrence of such attacks, and when in 1810 the King went mad permanently the same difficulties were repeated.

§ 8. We have seen how, about 1660, there came to be
 Relief for
 (1) Protestant
 Nonconformists,
 1767-1800.
 Dissenters in England—members of the
 State who were not members of the Church
 (Chap. I., § 7): we have seen how they
 were persecuted till, in 1690, a Toleration

Act was passed which allowed freedom of worship to orthodox Protestant Nonconformists (Chap. I., § 8). We have also seen how this toleration did not extend to admission into political office, and we have traced the struggle through the Schism Act and Occasional Conformity Act (1711, 1714) to the beginning of the Acts of Indemnity in 1727. Before we pass to a consideration of the French Revolution, and its effect on our history, leading us to the story of India and Ireland, we will mention briefly the steps of the progress towards religious liberty and equality which were taken in George III.'s reign before 1800. They will have no logical order, but that is the result of the method pursued: Englishmen have advanced in this direction by curiously unreasonable ways.

In 1767 the House of Lords decided a legal question: the City of London had been accustomed to gain money by appointing Dissenters to the office of sheriff, and, when they refused to take the office because the law forbade them, they were heavily fined. This was appealed against, and the decision was given against the City because no man could be

* Pitt used peerages extensively to purchase votes: his Ministry was marked by 140 new creations.

punished for refusing to fill an office he was legally incapable of discharging.

In 1772 a petition was presented to the House of Commons by Meredith, in the name of certain clergymen and lawyers, asking to be excused at the Universities from subscribing the Thirty-nine Articles: it was rejected by the House, but the University of Cambridge ceased to require such subscription, being satisfied with a general declaration of membership of the Church of England. In the same year a Bill was introduced by Hoghton to relieve Dissenting ministers and schoolmasters from the declaration required by the Toleration Act: it passed the Commons, but was rejected by the Lords. It was ultimately carried in 1779, with a rider that such a minister should declare that he took the Scriptures for his rule of faith and practice.

In 1778, Sir George Savile introduced a Bill to repeal those parts of an Act of William III. against Roman Catholics which related to apprehending Popish bishops and priests and Jesuits, which subjected these, as well as Papists keeping a school, to perpetual imprisonment, and which disabled all Papists from inheriting or purchasing land: according to the new Bill—

(2) For Roman Catholics, 1778-1830. “Catholics must take an oath against the Pretender, against the temporal jurisdiction and the deposing power of the Pope, against the doctrine that faith must not be kept with heretics, and that heretics, as such, might lawfully be put to death.”

The Bill passed without division in both Houses, but applied only to England. But on a proposal to pass a similar measure for Scotland the Protestant susceptibilities of the people were roused; eighty-five societies or corresponding committees were formed in connection with Edinburgh, who used speeches, pamphlets, handbills, sermons, to rouse public feeling; a Protestant Association was formed in London, with numerous local societies; and petitions were presented to Parliament. The excitement culminated in June, 1780, when a mob, incited more or less directly, attacked the Roman Catholic chapels in London, and that lawless state of things prevailed to which we have previously referred (Chap. II., § 22).

In 1782 Protestant Dissenters were allowed to celebrate their marriages in their own places of worship.

In 1787, Beaufoy proposed in the House of Commons to repeal the Test and Corporation Acts, but his motion was rejected by a majority of seventy-eight. He introduced it again the next year, and it was then lost by a majority of twenty. Fox proposed it in 1790, but it was again rejected, this time by an overwhelming majority.

In 1791, Mitford's *Catholic Relief Bill* required an oath of general loyalty, the taking of which

"secured their complete freedom of worship and education; exempted their property from invidious regulations; opened to them the practice of law in all its branches; and restored to peers their ancient privilege of intercourse with the King." (Erskine May, III., 107.)

In the same year, a petition to allow, by law, members of the Scotch Established Church to hold office in England was rejected.

In 1793 the Bill for the relief of Scotch Roman Catholics, which had roused the "No Popery" riots of 1780, was passed. And this was all that was accomplished in this direction before 1800: though some endeavours were made on behalf of Unitarians and Quakers. Progress towards religious liberty and equality has been made more rapidly in this century: among the most important measures have been the repeal of the Test and Corporation Acts in 1828, the admission of Nonconformists to the Universities in 1870, and the disestablishment of the Irish Church in 1869.

§ 9. It is, of course, outside the proper limits of an English History to tell the story of the origin of the French Revolution: we ought strictly to take the Revolution as an elementary fact, and treat it merely as a cause of the

Effect of Eighteenth
Century Wars on
France.

new international complications which filled the closing years of the eighteenth century. But the event was in itself so great, the story of it is so fascinating, and, above all, the share in its causes of English ideas so large, that we may well turn aside to speak of French constitutional history for a few lines

We have seen how England and France, during the eighteenth century, have fought a long duel: beginning in 1689 with the war of the English Revolution, it was renewed in the war of the Spanish Succession. Then came a long pause between 1713 and 1739, followed by new hostilities which led to a fresh outbreak in 1744 that did not properly end till 1763. Finally, the American Colonies had no sooner shown the reality of their revolt than, as we have seen (Chap. II., § 18), France renewed the struggle till 1783. Incidentally, too, we have seen how in all these wars, except the last, France managed to have a Continental war at the same time as her struggles with England.

Now, the result of these wars on both countries was alike in the one particular, at least, of landing them hopelessly in debt. But there was this difference between England and France: whereas the former country, by winning ever new territory, was growing richer, and, by the comparative equality of her citizens before the law, was able to distribute the taxation fairly and draw on the resources of all the wealth of the country, in France, the loss of territory impoverished the people, and a vicious system of privileges excused the rich nobles and clergy from paying many of the taxes, the burden of which, therefore, fell on the poor peasantry.

Without going into the details of the story, we may sum up the constitutional history of France during the eighteenth century as consisting of financial disaster. All the elements of political discontent were there, and England had, by warring continually with France, contributed to *this* cause of the Revolution.

Effect of English Political Theories on France.	During the Stuart period, English writers had produced many arguments to justify the opposition to the King that the more practical men had conducted without troubling themselves about theories. One of the favourite argu-
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ments then brought forward was that States had arisen "in the beginning" out of a *Social Compact*, an agreement between one man and the rest that he should rule and they should obey for the common profit of all. Many were the variations in the deductions from this original assumption—

for it was nothing more—but all English writers agreed in representing the “state of nature” from which the “social compact” had saved us as something intolerably bad, a universal “state of war”: on this point, Locke, Filmer, Hobbes, and the rest were at one. But the philosophers of France in the eighteenth century, specially Rousseau, studying the English writers of the seventeenth, believed, as a reaction against the teaching of the Roman Catholic Church, that man was originally good, that the “state of nature” was a golden age to which we should endeavour to return.

Now, this teaching of Rousseau’s fell on ground already well prepared. Voltaire and the “Encyclopædists” had in one way or another shaken all belief in Kingdom and Church as saviours or aids to society; and the unhappy French people were thus at any time prepared to throw over everything if only they could improve their position. Thus English thought, as well as English war, helped to prepare the way for the French Revolution.

Finally, the revolted Colonies of England had contributed their share of influence on French national opinion. They had justified their revolt and prefaced their Declaration of Independence by the statement that “all men are born free and equal.” That was *their* version of the doctrine of the “Social Compact.” With the true English method of illogicality they did not carry out their high-sounding generalities into practice, but, having won their independence of England, proceeded, as we have seen (§ 2), to frame a Constitution for themselves on the model of the “tyranny” from which they had revolted. It is remarkable to notice that there were in 1787 protests raised by some Americans against the new tyrant they were creating.* But even this Constitution of England had been praised by Montesquieu, a French writer, as the best form of government that existed.

We have already seen how the enthusiasm of French public opinion for republicanism, coupled with the old Bourbon hatred of England, drove France to side with England’s rebels (Chap. II., § 18): the French volunteers, like La Fayette, who flocked to America returned, full of

* Bryce, *American Commonwealth*, I., 32, and note 1.

enthusiasm for republican institutions, and thus Englishmen contributed by the encouragement of a first success in leading the French into revolution.

§ 10. On May 5th, 1789, the French States-General met, after an interval of 175 years, and immediately a discussion arose whether the three orders, Nobles, Clergy, and Commons, should sit and vote together or separately. In the end they sat together, and, as the representatives of the Third Estate were equal in number to those of the other two, among whom they had sympathisers, the Revolution went its way, beginning with abolishing privileges of all sorts. Owing also to the wild excitement among the poorest, specially in Paris, and to the unwise conduct of the King on critical occasions, the Revolution became violent, and in January, 1793, the King was executed and a Republic proclaimed.* Meanwhile, Royalists had fled to Germany,

* The following is a table of the chief events of the Revolution:—

1789. May 5. The *Estates-General* meet at Versailles.
 June 17. The Estates assume the name of *National Assembly*.
 July 14. The Fall of the Bastille.
 Aug. 4. "The St. Bartholomew of Property": Abolition of all Privileges.
 1791. June 20–21. Attempted Flight of the King: stopped at Varennes.
 Sep. 30. The *Constituent Assembly* dissolves itself.
 Oct. 1. The *Legislative Assembly* meets (745 members).
 1792. Aug. 10. Establishment of the *Commune* for Paris, under Danton.
 Sep. 21. The *National Convention* meets: the "Year I." the Republic begins.
 1793. Jan. 21. Execution of Louis XVI. (His wife, Marie Antoinette, on Oct. 18.)
 April 6. The *Committee of Public Safety* (nine members) appointed.
 1794. July 27. "The 9th Thermidor."—Fall of Robespierre.
 1795. Oct. 26. "The Constitution of the Year III." comes into force.—The *Directory*.
 1799. Nov. 9. "The 18th Brumaire."—Bonaparte becomes First Consul.
 1804. May 20. Bonaparte takes the name of "Napoleon I.," and title of Emperor.

and these *Emigrés* were exciting the sympathy of foreign Princes :

“Wisdom, by the lips of old Kaunitz, had warned them of their proper course—to draw a cordon round the eruption, and let the volcano consume its own entrails, as it assuredly would have done. They chose, instead of this, to tap the crater, and bring the lava torrent down upon themselves.” (Goldwin Smith.)

Austria and Prussia were drawing together, and, in the *Declaration of Pilnitz*, Aug. 1791, hesitatingly arranged for armed intervention, when the French Government, in July 1792, declared war against Austria, and thus completed the alliance of Prussia and Austria. Thus the international character of the Revolution was revealed : it consisted essentially in a breach of the long alliance with Austria which has been known as the Kaunitz Policy, that policy which we saw begun in 1738, interrupted by the war of the Austrian Succession, and completed in 1756 (Chap. I., § 15). Now the old European system was restored : France attacked Austria in the Netherlands and on the Rhine, and Austria's ally, Sardinia. Savoy—the ancestral dominions of the Sardinian House—was occupied and annexed ; the Austrian Netherlands were overrun ; and then an attack was made on Austria's greater ally, England-Holland, “the sea-Powers,” as Continental historians call them. For the French opened the navigation of the Scheldt, and thus established Antwerp as a rival to Amsterdam and London. This and other causes strained the relations between England and France ; and Pitt was hesitating between peace and war when, on February 1st, 1793, France saved him the trouble of deciding by declaring war against England and Holland. When England succeeded in persuading Spain to join the Coalition against France, we seem to have returned to the early years of the eighteenth century, before a Bourbon was King of Spain, we seem to have again a war of the Grand Alliance which William III. had formed : Austria, Sardinia, Spain, England, and Holland are once more united against France.

But the events of the war are far different. France is now vigorous : burning with a double enthusiasm for republicanism and for patriotism, her troops are, after a period of suspense, everywhere victorious. In 1795, Holland was completely

conquered; the Stadtholder fled to England; and the country was made into a "Batavian" Republic.

Prussia* and Spain were glad to make peace with France (May and June, 1795), and in the end of the year the only enemies of France were England and Austria. The events of this

The War between
England and
France, 1793-5.

war which more especially affect England are of course naval. In August, 1793, Hood took Toulon, but was forced to evacuate it in December by Napoleon Bonaparte; Nelson and Hood captured Bastia, in Corsica, and thus encouraged Paoli in resisting the French there, and on "the glorious first of June" Admiral Howe totally defeated the French fleet on its way from Brest to convoy merchant ships laden with flour from America (1794). The next year the Cape of Good Hope was captured, and many of the West India Islands, Guadaloupe being the only one remaining to the French. Besides these conquests the English fleet had been used to support a revolt of the Vendean peasantry against the revolutionary government, a revolt which in the end was put down by Lazare Hoche. The Royalists were captured in a fort to which they had retreated, overlooking the Bay of Quiberon, and all shot in cold blood.

§ 11. In 1796, while Napoleon Bonaparte was conducting his first great campaign against Austria in

Activity of
Bonaparte in
1796-7.

Italy, France planned an invasion of England which was to sail from Brest—the main expedition, under Hoche, for Bantry Bay, in Ireland, where they expected much assistance, and a diversion to land near Bristol, consisting of rascals who were to lay waste generally everything they came across, and thus create panic terror. But the Irish help did not come, the fleet returned, and the "thieves unhung" were captured, and shipped back again by England. This was at the close of 1796.

In October, 1797, Bonaparte signed the *Treaty of Campoformio* with Austria.

* Prussia was busy with the *Third Partition of Poland*, October, 1795: this completed the dismemberment begun in 1771, and furthered in 1793.

France kept the Austrian Netherlands, and all the German territory on the left bank of the Rhine, as well as the Ionian Islands; while Austria acknowledged the Cisalpine Republic which France had formed in North Italy, and received the territory that Bonaparte had, in defiance of international law and morality, taken from Venice.

Thus France's only enemy was England. It was against her world-wide power that Bonaparte intended to war. Should he succeed, well and good: if not, he had a second plan to fall back upon—he would conquer Europe and compel the Powers into a coalition against England.

The year 1797 began with the defeat of the Spanish fleet off Cape St. Vincent by Jervis and Nelson (February 14th). In the middle of the year the action of the English fleet was paralysed by mutinies at the Nore and Spithead, but on October 11th, 1797, the English, under Admiral Duncan, thoroughly defeated the Dutch fleet, now of course in alliance with France, off Camperdown. This put an end for the present to the possibility of an invasion of England, and in May, 1798, Bonaparte started on that famous expedition to the East which was to strike a blow at England's power in India, and establish an Eastern empire for France. He calculated that England was not powerful enough in the Mediterranean to defeat this project, which included the liberation of Greece and Egypt from Turkey, and the establishment of French influence there. But in this he was mistaken: at first, it is true, he managed to evade Nelson, but while his fleet lay in Aboukir Bay, near the mouth of the Nile, it was totally destroyed on August 1st by the English. For three years there was war between the French and English in Egypt, and the final defeat at Alexandria did not take place till 1801, but with the loss of communication with Europe all possibility of French victory was gone. Bonaparte attempted, in May, 1799, to retrieve his failure by an attempt to take Acre, but the English fleet, under Sydney Smith, saved this place from falling into his hands, and he returned to Europe, from Asia, as he returned thirteen years afterwards from Russia, defeated.

Meanwhile, England had formed the *Second Coalition* to

Battles of
Camperdown and the
Nile, 1797-8.

aid her in the conflict against Bonaparte: Austria, Russia, and the princes of the Empire were her allies, and the scenes of warfare were the Alps, Switzerland, and North Italy, where the French won victories, partly owing to their enthusiasm and the skilfulness of their generals, partly owing to the jealousies of the allies. In Holland, too, France was successful in defeating the English: in the *Convention of Alkmaar* (October, 1799) England agreed to abandon Holland and free 10,000 prisoners without exchange, but they retained what was of perhaps greater value, the Dutch fleet.

In 1800, Bonaparte again cleared North Italy, winning the Battle of Marengo (June 14th); while Moreau, in December, defeated the Austrians at Hohenlinden, in the Tyrol. The consequence of these victories—against which England could set only her conquest of Malta from the French (September)—was the destruction of the alliance and the signing of the *Treaty of Lunéville* between France and Austria (February 9th, 1801). Bonaparte's next scheme against England was the revival of the Coalition of the Northern Powers of 1780, which we have previously known under the name of the "Armed Neutrality" (Chap. II., § 21); but the bombardment of Copenhagen by Nelson (April 2nd, 1801) put an end to that scheme. Russia made a treaty with England in which she withdrew from the new alliance, and in March, 1802, the *Peace of Amiens* was made between the two great rivals.

England retained Trinidad (taken from Spain) and Ceylon (taken from the Dutch in 1796), but restored her other conquests; Egypt was restored to Turkey, and the English Sovereign was to discontinue his style of "King of France."

The peace lasted only till next year; the war then broke out again. How Bonaparte, now called the Emperor Napoleon, attempted once more to force Europe to join him against England; how he quarrelled with Russia and failed to conquer her; how England drove him out of Spain and sent him to Elba; how he escaped, and in the famous campaign of 100 days struggled once more for victory till he fell at Waterloo (June 18th, 1815); and how he ended his days

a prisoner of war to the "nation of shopkeepers": all this is beyond our present range. We turn now to the effect of this international conflict on the Constitutional history of England.

§ 12. We have seen how the Whigs of the years 1770-80 had denounced the corruptions of the English Constitution (§§ 3, 4), and how, when they had their opportunity in 1783, they did what they could to cure the evils by "economical" reform (§§ 6, 7). But the Rockingham Ministry proved that what was wanted was not the removal of the symptoms of the disease, but the destruction of the causes; that the Constitution did not correspond to the wealth and political power of the country; that it could not therefore be mended by partial means, but must first go through a revolution which might almost be described as ending it. In a word, the great towns which were rapidly growing in the North required a share in the conduct of the nation's affairs; and "parliamentary reform," the "extension of the franchise," and a "redistribution of seats" became a pressing necessity.

How was it, then, that while the first proposals for parliamentary reform were made in 1784—even if we omit the previous proposals of Wilkes or Chatham, or the still earlier motion of Sir Francis Dashwood in 1745 for the people's right "to be freely and fairly represented in Parliament"—England had to wait fifty years for the Reform Bill? Briefly the answer is, the long struggle with France for national existence. If there is to be an exception to Bishop Stubbs' dictum that in history "all generalisations are *ipso facto* false," it would be this: that a struggle for national existence puts on one side all attempts at internal change, that a nation which should attempt to do these two things at once will learn the wisdom of the old adage: "Never swap horses when you are crossing a stream."

We saw the mediæval Constitution disappear in the wild warfare of the rival Roses; we saw how the Tudor Kings were tacitly invested with such power that we compared them with the ancient magistrates of Rome in times of extreme danger, and called them Dictators. Now, after a long interval, England was in

The need for
Parliamentary
Reform.

The new
Dictatorship.

the same condition again. True, the danger did not arise now from feudal nobles and religious international disputes: the conflict was for trade and empire. India was threatened, the Continental ports blockaded, our colonial possessions were attacked, our navies were opposed. But the intensity of the danger was the same in both cases, and gave rise to the same institution—a Dictatorship. Just as, in Tudor times, juries were overawed by fines and Star Chamber prosecutions, and personal liberty was sacrificed to the good of the State, so in Pitt's time a conviction was an almost necessary consequence of a State prosecution. The Habeas Corpus Act was suspended, meetings were suppressed such as had before and would be again considered harmless, and in all ways public discussion was suppressed in presence of the enemy. Said a follower of Pitt: "The people have nothing to do with the laws but to obey them!"

In 1791 Pitt's power was greatly increased by the final outbreak of disagreement between Fox and Burke. Their quarrel arose out of the events in France: all England had at first watched with eager interest, and a certain amount of pleasure, the march of revolutionary ideas. Some were glad that France seemed to be destroying herself, our old rival: others rejoiced that they were probably working their way towards a Constitution like that of England. Soon, however, English conservative thought began to take alarm, and Burke expressed the mind of many in his *Reflections on the French Revolution* (1790). Societies which had been formed in England years before to advocate reform and to "uphold the principles of 1688" had been stirred to fresh life by the French Revolution, and had expressed their hearty sympathy: it was to counteract this feeling that Burke wrote his book. It caused a split in the Whig party, and Fox, hitherto the friend of Burke, was the leader of the opposite party, who still throughout sympathised with the French and opposed the Government in England. In 1791, Parliament was devising a new Constitution for Canada, in which the colony was divided into two provinces, to each of which representation was to be granted: England was learning the lessons of her colonial failure. A discussion on Constitutions led to mention of French politics, for across the

English Views
on the
French Revolution.

Channel they were busy Constitution-making. Fox expressed his admiration of the Revolution. Burke denounced it, and, considering that the difference of opinion was too great to admit of their old friendship lasting, declared it at an end.

Constitutional history in these years consists, therefore, of proposals for reform made by Whigs, which were uniformly rejected, and arrangements for suppressing discussion proposed by Pitt and the Tories which the House of Commons uniformly supported. We have already seen how proposals tending to religious liberty fared in these years of conflict (§ 8): we add now in chronological order the proposals for Constitutional reform:—

§ 13. In 1790, Flood moved for a Bill to add a hundred members to the House of Commons to be elected by the resident householders of every county: it was withdrawn without a division. In the same year the “London

Corresponding Society” was formed, to advocate radical opinions.

In 1792 a society was founded called the “Friends of the People”: it embraced many who were eminent in politics and literature, including Grey and Erskine and other members of Parliament. They pointed out that about 200 members of the Commons were returned by towns with less than 100 electors, and that 357 members were returned by 154 patrons, and therefore agreed to urge parliamentary reform, and Grey moved in the House of Commons for a Commission of Inquiry.

In the same year the Government issued two proclamations, one of which warned the people against seditious writings: it was criticised in Parliament, but approved. The other announced that it was necessary to call out the militia because a dangerous spirit of tumult and disorder had been excited by evil-disposed persons in concert with foreigners—and this, though also attacked in Parliament, was approved of by a large majority.*

* Against these measures may, to some extent, be set the passing of *Fox's Libel Act*, which reversed Lord Mansfield's decision of 1764 and made the jury competent to decide not only on the fact of publication, but also whether the words published were libellous (Chap. II., § 6, note).

In 1793, Grey brought forward his motion in favour of parliamentary reform, but it was opposed by Burke and Pitt, and rejected by a majority in the proportion of six to one. Prosecutions of the Press were abundant. Frost, an attorney, was sentenced to the pillory and further punishment for the use of seditious words; Winterbotham, a Baptist minister, was imprisoned for a seditious sermon; Birellet and Dr. Hudson were imprisoned for seditious words. These cases were in England: in Scotland similar prosecutions took place—Muir and Palmer were transported for sedition, and, though their sentences caused discussions in the House of Commons, there was no remedy. A society was formed "for the protection of liberty and property" against republicans and levellers, whose self-appointed task was to hunt up seditious persons and bring them to justice. The *Traitorous Correspondence Act* (1793) extended the definition of "treason" to include supplying arms and other war material to the enemy, buying land in France, and holding intercourse with France without special permission under the Great Seal; while an *Alien Act* imposed restrictions on foreigners coming to England.

In 1794 the Duke of Portland and his friends, who had continually supported Pitt, joined the Ministry,* Portland himself receiving the Secretaryship vacated by Dundas, who had in 1791 succeeded Carmarthen. They represented the party who advocated the continuance of the war, while Pitt was continually desirous of peace. Pitt thus consolidated the Tory party, for they were unanimous on home policy—that of opposition to all change. Prosecutions for sedition and treason continued, though some of the prisoners were acquitted: Skiving, the secretary of a convention in Edinburgh of the "Friends of the People," was

Reconstruction of
the Ministry,
1794.

* *Pitt's Ministry in 1794.*—Pitt, First Lord and Chancellor of the Exchequer; Loughborough (Wedderburn), Chancellor—having succeeded Thurlow, who had held the office almost continuously since 1778, in 1792; Chatham, Privy Seal; Grenville, Foreign Secretary; Portland, Home Secretary; Windham, Secretary at War; Dundas, Secretary for War (new office); Hawkesbury (later Lord Liverpool), Board of Trade [Huskisson joined in 1795, George Canning in 1796, Castlereagh in 1798].

transported; Watt was executed for treason; but, on the other hand, Hardy, Horne Tooke, Thelwall, and other members of the "London Corresponding Society" and the "Society for Constitutional Information" were acquitted.

§ 14. But in 1794 a Habeas Corpus Suspension Act was passed by an overwhelming majority (201 to 39); so that the securities which that Act had created for individual liberty were taken away and were not restored till 1801.*

The Suspension of the Habeas Corpus Act, 1794.

A trial of 1795 illustrates the Constitutional position of these proceedings. Henry R. Yorke was tried at York on a charge of defaming the House of Commons in a speech at Sheffield.

"Mr. Justice Rooke, before whom he was tried, admitted, in his charge to the jury, that the language of the prisoner—presuming it to be correctly reported—would have been innocent at another time, and under other circumstances: but that, addressed to a large meeting, at a period of excitement, it was dangerous to the public peace."

Thus this young man of twenty-two was sentenced to a fine of £200 and two years' imprisonment in Dorechester gaol.

In consequence of a large meeting of the London Corresponding Society at Copenhagen House in October, and a late attack on the King by a mob, incited by famine, Parliament passed two Statutes; the first of which was the *Treasonable Practices Bill*, by which writing, printing, preaching, or

* A writ of *Habeas Corpus* is an order issued by a judge at the instance of any one detained by any one else, or of his friends, commanding the person detaining him to "have his body" in the court for the decision of the judge. The use of this writ was regulated by the Act, 31 Car. II., cap. 2 (the celebrated Habeas Corpus Act), because many ways had been found of defeating the intention of the writ. The effect of the Act suspending the Habeas Corpus Act was that "the Ministry might for the period during which the Suspension Act continued in force (usually one year at a time) constantly defer the trial of persons imprisoned on the charge of treasonable practices." But to secure officials against prosecutions being brought against them by persons illegally detained during such suspension, an Indemnity Act has always been passed at the end of such periods. (See Dicey, *Law of Constitution*, Lecture VI.)

speaking to incite the people to hatred or contempt of the King, or the established Government and Constitution of the realm, was made a "high misdemeanour." The second, the *Seditious Meetings Bill*, in addition to regulating the proceedings of debating societies, enacted that

"no meeting of more than fifty persons (except county and borough meetings duly called) should be held, for considering petitions or addresses for alteration of matters in Church or State, or for discussing any grievance, without previous notice to a magistrate, who should attend to prevent any proposition or discourse tending to bring into hatred or contempt the Sovereign, or the Government and Constitution."

These Bills were naturally resolutely opposed as tending to stifle all political discussion, but they were passed, generally with large majorities.

Only forty-one members supported Fox's motion, in 1797, for the repeal of these two Acts. In the same year, Grey introduced a Bill for Parliamentary Reform, which was promptly rejected.

The county members were to be increased from 92 to 113; copyholders and leaseholders for terms of years were to be admitted to the county franchise; a uniform household franchise was to be introduced into boroughs; and the polling throughout the kingdom was to be held at one time.

The next session, 1798, the Whigs, disgusted at their uniform want of success, refused to attend in Parliament. But, as Mr. Morley remarks on the similar secession of Walpole's Opposition in 1739, "the House of Commons is the worst place in the world for *coups-de-théâtre*." The only result was that for the next three years Pitt was all-powerful. In 1799, he passed an Act to suppress the United Societies and the London Correspondence Society, as well as all debating clubs.

Thus the century ended in gloom: a war in which England had to put forth all her strength to save herself from destruction; a Constitution which was felt to be corrupt and ill-adapted to the condition of the people; liberty of political discussion totally destroyed; even personal liberty denied to the poorest—since they were by statute liable to forcible impressment for army and navy. Above all, Ireland—

whose political story had been fuller of incidents since George III. came to the throne than it had ever been before—struggling through experiments in a one-sided self-government, and now excited to fever heat by the example of the French Revolution, was about to begin a new experiment, that of legislative union with Great Britain. The story of Ireland will occupy the last chapter.

CHAPTER IV.

India in the Eighteenth Century.

§ 1. How England came to have dealings with India; the East India Company, 1699-1708.—§ 2. Divisions of India; Mohammedan Conquests; Rise of the Mahrattas; the English in India down to the Peace of Aix-la-Chapelle, 1748.—§ 3. The English and the French in the South, 1749-56; Clive.—§ 4. "The Black Hole of Calcutta," June 20th, 1756; Battle of Plassey, June 23rd, 1757.—§ 5. Battle of Wandewash, 1760; Vansittart and Mir Kasim, 1760-64.—§ 6. Clive's work in India, 1765-7.—§ 7. Warren Hastings' Reforms in Bengal; Relations with the Great Mogul and the Nabob of Oudh.—§ 8. Attempts of Lords Chatham and North to regulate the Government of India, 1766-73.—§ 9. Warren Hastings and his Council, 1773-80.—§ 10. War with Hyder Ali, 1780-82.—§ 11. Home Attacks on Hastings' Administration; the *India Bills* of Fox (1783) and Pitt (1784).—§ 12. The Problem of Governing India; Impeachment of Hastings, 1788-92.—§ 13. India under Lord Cornwallis (1786-93); Sir John Shore (1793-8), and Lord Mornington, later Marquis Wellesley (1798-1805); the struggle with Tippu Sultan down to 1799.—§ 14. England and the Carnatic; the need of a "scientific frontier" on the North-West.

§ 1. IN the chapter of the "Expansion of England," in which Professor Seeley discusses the mutual influence of England and India, he fixes "the first half of George III.'s reign" as a period when "a mischievous reaction from India upon England was prevented" (p. 248). He further explains this reaction as a danger "lest the wealthy adventurers, returning to England and entering into English political life with ideas formed in Asia, should upset the balance of the Constitution" (p. 249), and mentions, as "the great incidents of the struggle," "the fall of the Coalition Ministry on the India Bill of Fox, and the Passing of the India Bill of Pitt,

the trial of Warren Hastings, the succession of Lord Cornwallis to the Governor-Generalship, and the administrative reforms carried out by him in India" (p. 250).

We have already told the story of the Constitution of these years with but passing references to India (Chap. III., §§ 5-7): the object of this chapter will be to tell the story of Englishmen in India sufficiently to explain, firstly, the war between England and France which lasted from 1748 to 1763, and again at intervals later; and, secondly, the Constitutional questions which arose out of the difficulty in settling the relations between the East India Company that conducted the war and made the conquests, and the Government of England under whose authority and with whose help the Company existed and flourished.

The East India Company : its early dealings with India.

In the Middle Ages every town in England was, for industrial purposes, a foreign country to every other: each had its *craft-gilds*, which regulated the affairs of the inhabitants of the single town, and to which every workman belonged as a matter of course. When, under the Tudors, industry and commerce became nationalised instead of being merely municipal, the dangers both of unknown seas and of foreign rivals led to the adoption, on a large scale, as a means of security, of the same principle as that of the mediæval gild. Companies were formed for each area of commerce; charters were granted in form exclusive, but framed so as to include any wishing to trade on payment of a moderate fee, which might be regarded as a fair return for the help and protection afforded. Of the many trading companies so formed and chartered was an "Association for Trading with India," which was formed in 1599, and on December 31st, the next year, received its first charter,* carefully worded so as to give no offence to any other European Powers. This Company had a chequered career of a little over a century. They had English rivals in trade—"interlopers," or "free-traders," who wished to traffic with India, but objected to

* As "The Governors and Company of the Merchants trading to the East Indies." The first venture made a profit of 95 per cent. on a cargo of cinnamon, cloves, and pepper.

joining the Company; and besides, there were foreign rivals, specially the Portuguese, Dutch, and French. As the result of a long controversy with their English rivals which sometimes mixed itself with Constitutional questions,* the old Company was in 1702 amalgamated with a new Company that had been its chief competitor. After six years of financial negotiations, the two capitals were completely amalgamated, largely through Godolphin, and there was incorporated the "United Company of Merchants trading to the East Indies" which has subsisted to this day.

The Company thus formed owned certain depots or factories in India: Fort St. George or Madras (1639), and Fort St. David on the Coromandel coast; Fort William or Calcutta (1686-96), Cossimbazar, Dacca, and Patna, in Bengal; and Bombay had been handed over to them by Charles II., who had acquired it in 1662 as part of his Portuguese wife's dowry.

Early Settlements
in India.

These settlements were largely independent of each other, and had very different surroundings and histories. The traders at Madras knew nothing of the country inland; their chief interest was in the Dutch Settlements at Pulicat and Sadras, and specially in the rival French settlement of Pondicherry.

The English in Bengal, situated on the river Ganges and its various mouths, knew more of the country in which they traded, because the water-communication naturally led them into the heart of the country, and consequently in the history their dealings are directly with the native rulers, only indirectly with the French.

Bombay again found itself the neighbour of the Mahrattas, a predatory theocracy founded on the Hindu religion: their history consisted of intrigues with rival claimants for the headship of this collection of equestrian tribes.

* *E.g.*, in 1693 a Tory House of Commons, in opposition to a Whig King using his prerogative to grant exclusive charters for the regulation of trade, resolved "that it was the right of all Englishmen to trade to the East Indies or to any other part of the world, unless prohibited by Act of Parliament." And the *General Association of "free-traders"* based its powers on an Act of Parliament, as opposed to the royal charters of its rival.

The Company's hold over some of its factories was precarious enough; and till well into the eighteenth century there was no hint that "these emporia were an imperium in embryo."

§ 2. India has been roughly divided, for purposes of reference, into three parts—Hindustan, the Divisions of India : Dekhan, and the Peninsula. The first the "Grand Mogul." extends from the Himalayas to the river Nerbudda, and includes the valleys of the Indus and the Ganges; the Dekhan includes all the country between the Nerbudda and the Kistna; the Peninsula reaches thence to Cape Comorin.

In the year 1001, Mahmoud of Ghazni invaded India from the North-West, and conquered Hindustan as a Mohammedan. In 1524, Baber, another Mohammedan conqueror, established the Mogul Empire, whose capital was at Delhi. In 1688, Aurangzeb, a Mogul emperor, invaded and conquered the Dekhan. But the effort was more than the Mohammedan Power could well afford: it was seriously weakened thereby, and its decline began in 1707, just therefore at the date when the English East India Company came to the end of its early constitutional struggles. The greatest blow which the Mogul Empire received was in 1739, at the hands of Nadir Shah of Persia: henceforth the "Great Mogul" was nothing more than a pageant, and India was very much in the same condition as Europe was at the death of Charles the Great in the first half of the ninth century. The officers of the Mogul Empire established themselves where they could as sovereign princes; military adventurers rose to be rulers of districts, like Hyder Ali in Mysore; and, as we have just seen, the Mahrattas, a confederation of Hindu warriors, ruled by a puppet Maharaja of Satara, with a Brahminical *Peishwa* or prime minister at Poonah, rose to power in the West. It was amidst all this confusion that the story of the East India Company as something more than humble merchants began.

The Mohammedan ruler of the Dekhan had the title of Nizam, and he ruled the Carnatic, the district immediately in the neighbourhood of Madras, through an under-officer, or Nabob (*Nawab*); but in 1732, on the death of the Nawab of the

Troubles in the
Carnatic,
1732-1748.

Carnatic, he was succeeded by his adopted son, Dost Ali, without any reference to Asof Jah, the Nizam-ul-Mulk, or ruler of the Dekhan. In 1736, on the death of the Hindu Raja of Trichinopoly, there was civil war in the Raj, and in the end, Chunder Sahib, a son-in-law of Dost Ali, obtained possession of Trichinopoly, with its strong rock-fortress.

In 1740 the Carnatic was invaded by the Mahrattas: they defeated and killed Dost Ali, and, at the instigation of his son Subder Ali, they surprised Trichinopoly, and captured Chunder Sahib, whom they imprisoned in one of their fortresses at Satara. While things were in this condition, Nizam-ul-Mulk visited the Carnatic with an army, demanding arrears of tribute; Subder Ali applied to a brother-in-law, Mortiz Ali, among others, for his share, but was assassinated by him; and Nizam-ul-Mulk again advanced to Arcot, whence he settled the affairs of the Carnatic. Mortiz Ali had fled, and Anwar-ud-din was appointed Nawab, or deputy, for the young son of Subder Ali; but the boy was assassinated in 1744, and the Nizam then confirmed Anwar-ud-din in the Nawabship. In 1744—Spain was already in arms—France declared war against England. In 1745 an English fleet appeared off the Coromandel coast near Madras, and Dupleix, the French commander of Pondicherry, applied to Anwar-ud-din to prevent hostilities: in obedience to his commands, the English fleet sailed away, and a French fleet under Labourdonnais then attacked and captured Madras, holding it to ransom at £440,000 (September, 1746). Dupleix, however, ignored the conditions of surrender, confiscated the whole of the Company's goods, and took Madras as a French possession.

Anwar-ud-din, angry at this war in his dominions, attacked Madras, but was easily driven off. This event first showed the superiority of European methods of warfare to those of the Moguls. The English removed their seat of government to Fort St. David, and continued the war till peace was made at Aix (1748), by which the conquests in India were restored.

§ 3. In 1749 the English at Madras, interfering in the civil war of Tanjore, obtained possession of Devicotta,

which they wanted as a trading port; but, meanwhile, Dupleix had begun to work out his far larger scheme. Dupleix in the Dekhan & Carnatic, 1749-50. Nizam-ul-Mulk had died in 1748, and Dupleix, seeing his nominee Anwar-ud-din had thus lost his support, thought it a good opportunity to push forward a rival Nawab: he ransomed Chunder Sahib from the Mahrattas, and helped him to assert his claims. Nizam-ul-Mulk was succeeded by his son Nazir Jung, but a nephew of his, Muzaffir Jung, produced a will by which he alleged his grandfather had left the Nizamship to him. Dupleix took up his cause, and thus had two *protégés*, the candidates for the rule of Dekhan and Carnatic. They marched against Anwar-ud-din, defeated and slew him. Chunder Sahib attained his object almost at once. Muhammad Ali, a son of Anwar-ud-din, fled to Trichinopoly, and fortified himself there.

To get more money for further expeditions, the French allies attempted to extort it from the Raja of Tanjore: while they were delaying before that fortress, Nazir Jung invaded the Carnatic, and all fled before him. But Dupleix planned a campaign against him, and Jinji, a strong fortress, was captured by Bussy, a Frenchman. Nazir Jung, marching to recover it, was shot by his own followers, with whom Dupleix's Indian wife had successfully intrigued. Mirzaffir Jung was killed shortly in a mutiny, but Dupleix substituted for him a brother, Salábut Jung, and with him as Nizam of the Dekhan, and Chunder Sahib as Nawab of the Carnatic, both upheld by French help, Dupleix's triumph was all but complete. Muhammad Ali was still at Trichinopoly, besieged by Chunder Sahib and the French, when the English realised what had been done. They saw their existence in the Carnatic threatened, and knew that, when Trichinopoly had fallen, Madras would be in danger from the native rulers under French influence. But how to help Muhammad Ali?

Robert Clive had gone to India in 1744, at the age of nineteen, and had taken part in the brief war that ended in 1748: he now planned an expedition, and was entrusted with its execution. Clive relieves Arcot: Siege of Trichinopoly. With a small army, most of whom were Sepoys, he sud-

denly captured Arcot, the capital of the Carnatic, and thus made a diversion in favour of Trichinopoly (August 31st, 1751). There he stood a fifty days' siege, and, when the enemy had retired, he took the field and captured several places in the Carnatic. His personal career ended for the present with the arrival, in March, 1752, of Major Lawrence, from England. In May, Chunder Sahib surrendered to the Tanjore General, by whom he was put to death, and the French force at Trichinopoly capitulated. So Trichinopoly was saved from the French Nawab of the Carnatic: but this was no sooner settled than it was discovered that Muhammad Ali had promised Trichinopoly to the Regent of Mysore in return for aid: it was therefore necessary to hold Trichinopoly again against a siege by an army from Mysore, helped of course by the French. From December, 1752, till September, 1754, the siege lasted, and, although Lawrence was able to enter and relieve the fortress, the strain of the war proved at last too much for the English Company, and after a failure of negotiations with Dupleix, who refused to recognise Muhammad Ali as Nawab, they referred the matter to the Government at home, as a question of imperial policy, whether for vigorous war or settled peace.

Meanwhile, the French had obtained from their Nizam, Salábut Jung, acting under the influence of Bussy, a long strip of territory on the eastern coast, afterwards known as the Northern Circars, and including Masulipatam.

And thus, when the English Government complained to France of Dupleix's proceedings, and others, personally interested, complained of his self-seeking, the French Government called him home, to die in poverty, and sent out a Commissary, through whom, finally, the two Companies came to terms. They agreed to give up all further intrigues with native rulers and all native rule; the French promised to give up all territory they had acquired more than the English, and to live in peace till final settlement came from Europe (January, 1755). Clive was returning to India to take the command at Fort St. David in the war which had just terminated, and he took part in the English expedition under Watson against Gheria

Recall of
Dupleix,
1754.

(between Bombay and Goa), where Angria ruled a pirate stronghold. The place was destroyed, and the English proceeded to Madras in February, 1756.

§ 4. In April of the same year, Alivardi Khan, Nawab of Bengal, Behar, and Orissa, died, leaving his office to his favourite grandson, Suraj-ud-Daula. The news of the warfare in the Carnatic between the French and English had reached Bengal.

"The Black
Hole of
Calcutta,"
June 20, 1756.

"The Nawab was troubled by the progress of affairs in the Dekhan. . . . He received a pompous letter from Bussy, recommending the French at Chandernagore to his care and protection. He sent no reply to the letter, but he was amazed and perplexed. 'Those hatmen,' he exclaimed, 'will soon possess all the sea-board of India.' " *

The grandson inherited his predecessor's opinions about the foreigners, and before long he was quarrelling with the English at Calcutta. An enemy of Suraj-ud-Daula, Kishen Das, had fled to Calcutta, and had there taken refuge in the house of Omichund, who was suspected of unfriendliness to the English Company. Suraj-ud-Daula sent a messenger to Calcutta to demand the surrender of the fugitive, but, as the messenger went first to Omichund's house, Drake, the English governor, suspected the demand to be a trick of his, and refused a reply. At the same time, fearing the outbreak of war between France and England, the English began to fortify Calcutta, lest they be surprised by the neighbouring French settlement of Chandernagore. The Nawab, seeing imminent in his own country the disasters that had wasted southern India, ordered the English to cease their work of fortification, and, when they sent evasive replies, he seized their factory at Cossimbazar, and marched against Calcutta. The defence was badly conducted. Drake went on board the ships in the river with the women, and sailed away, and Holwell, who was chosen in his place, had to surrender the town on the 20th of June, and the prisoners, 146 in number, were confined in the strong-room of the barracks, a place not twenty feet square. During the night the greater number

* Siyar-ul-Mutaqherin, by Gholam Husain Ali, quoted by Wheeler, *Short History of India*, p. 269.

were suffocated, only twenty-three surviving, and the place of detention has therefore been called ever since the "Black Hole of Calcutta."

The news of all this reached Madras in August: a force which had been intended to fight the French was sent by sea to Bengal, and in January, 1757, Calcutta was easily recovered, and Hughli taken. The Nawab was terrified and bewildered: Chandernagore was taken by the English, who then advanced against the Bengal army. They found it profitable to take advantage of the native disaffection against Suraj-ud-Daula. Mir Jafir, an officer of his army, and Jagat Seth, a Hindu banker at Murshedabad, were the leaders of the conspiracy, and the negotiations between these men and the English were conducted through Omichund. He threatened to reveal the whole plot, and Clive thereupon drew up two treaties, one real, the other false: in the latter, mention was made of remuneration to Omichund: this he was allowed to see, but not the others. Fortified thus with double treachery, the English of course won the battle of Plassey in June, and Mir Jafir was installed as Nawab at Murshedabad. The Company was rewarded with a *jaghir*, that is, the ownership of certain lands held on a quit-rent, and Clive was rewarded with the quit-rent, amounting to £30,000. Omichund was duly undeceived, and died at the end of a year and a half in a state of imbecility.

§ 5. In April, 1758, Count de Lally arrived at Pondicherry with a fleet, as Governor-General of the French possessions in India: he was active and vigorous, and, in spite of quarrels with the local authorities, captured Fort St. David and besieged Madras, until Admiral Pocock drove him off (Feb., 1759). By the recall of Bussy, French influence was lost in the Dekhan, where Salábut Jung was dethroned by his brother, Nizam Ali. The English won all they had lost in the Northern Circars, and in January, 1760, Lally was defeated by Colonel Coote at Wandewash. This was followed by the siege and capture of Pondicherry in January, 1761; and, with the capture of Jinji, the French military occupation of the Carnatic was gone.

While these events were occurring in Southern India, an

Afghan ruler, Ahmad Shah Abdali, was disputing with the Mahratta confederacy the control of the Great Mogul and the shadow of his empire. The Battle of Paniput, January 1761, almost destroyed the Mahratta power, with horrible slaughter, and gave the power to the Afghan prince: he placed on the throne Shah Alam, the formerly exiled son of the previous Emperor, and he in turn appointed Shuja-ud-Daula, Nawab of Oudh, to be his Vizier, or chief minister.

The government of Mir Jafir, the British nominee in Bengal, was weak in the extreme, and he did not please his masters, who accordingly resolved to displace him, and entered into negotiations with Mir Kasim, his son-in-law. The mere show of force was enough to make Mir Jafir submit, and the new Nawab, with his English allies, soon drove off Shuja-ud-Daula and Shah Alam, who were threatening the western border. But the English were still sticklers for the old form of Mogul rule: they installed the Great Mogul at Patna, paid him homage, and obtained letters of investiture for Mir Kasim, as Nawab of Bengal, Behar, and Orissa.

The next year, 1762, the English were quarrelling with their Nawab, Mir Kasim, about the regulation of internal trade. The Company had privileges as traders which were denied to the natives, and they seem to have used these privileges so as to render them and their agents very unpopular, specially with the local jurisdiction, with whose powers they came into conflict. Mir Kasim, in 1763, to put an end to the dispute, abolished all duties, thus putting his own people on a level with the Company. This led immediately to war: and, though the Nawab was able to massacre Englishmen who were at his Court or in the neighbourhood, the advance of the English army was uninterrupted. He fled to the Nawab of Oudh, who helped him for his own purposes and advanced to Patna, but was repulsed, and at length defeated by Major Munro at Buxar, October 23rd, 1764. He negotiated for help from the Afghans and the Mahrattas, while at the same time he sought terms of peace with the English. The Afghans did nothing; the Mahrattas fled at the first contact; and the Nawab Vizier gave himself up uncon-

Mir Kasim:
1760-1764.

Massacre of
Patna,
Oct. 5, 1763.

ditionally to the English. Meanwhile, the Nawab whom the English had reinstated, Mir Jafir, died (January, 1765). Vansittart, who as Governor of Calcutta had conducted all these affairs, was succeeded in 1765 by Spencer, and he with his colleagues chose as the Nawab's successor an illegitimate son of Mir Jafir, aged twenty. At the same time they granted to a Mussulman grandee, Muhammad Riza Khan, the office of deputy-Nawab, with all real power. All this was accompanied with much bribery and in haste, so that when Clive arrived from England in April, 1765, full of plans for the government of India, he found himself committed to the foolish doings of the Calcutta Council.

§ 6. Accepting the arrangements perforce thus made, he based a system of government on the principle of maintaining the ancient forms. He left the Nawab in possession of the military com-

Clive's Settlement
of Bengal.

mand of the province, together with the superintendence of law, justice, and police; but he obtained for the Company from the Great Mogul the office of Dewan, or Finance Minister. Among natives the Dewan collected the revenues, supplied the Nawab with what was due to him, and forwarded the remainder as tribute to the suzerain. This gave the Company a revenue of some £2,000,000 a year. Of course, when the East India Company occupied that position, they did more; and in actual working, the Nawab of Bengal has dwindled to a mere pageant costing £160,000 a year, while Englishmen have been forced, owing to their sense of the evils of native control, to take over the whole administration of the provinces. Oudh was restored to Shuja-ud-Daula, and Clive wanted the Great Mogul to live at Patna, to be under the control of the Company, though retaining otherwise his authority over India: but Shah Alam refused to live in the English province, and, accordingly, an army was posted for his protection and dignity at Allahabad.

Clive also wanted to use the authority of the Great Mogul

Rise of Hyder Ali
in Mysore.

to make Nizam Ali of Hyderabad cede to England the Northern Circars, and he wished to enter into alliance with him against the Mahrattas, who were beginning to recover from the Battle of

Paniput; but again he was thwarted by the local authorities or the Directors at home. And in 1766 a treaty was made with Nizam Ali by which the Company paid a tribute for the Northern Circars, and arranged for mutual help against Hyder Ali, who was rising to power in Mysore. This alliance was followed by a war against Hyder Ali, in which Nizam Ali played fast and loose, and, after variations of fortune, peace was made with Mysore, in 1769, on the basis of restoration of conquests.

§ 7. The system inaugurated by Clive, known as the "double government," was working out its evil consequences: the *zemindars*, or revenue-collectors, oppressed the *ryots*, officials everywhere peculated, and the strength of English power only added to the oppression of the native magistrates. Bengal was being financially ruined when, in 1771, a famine hastened the catastrophe. Verelst, the successor of Clive as Governor of Bengal, had done what he could to alleviate the distress; but a new system was wanted, and Warren Hastings was appointed by the Directors in London as Governor of Bengal, with power to carry out reforms.

He carried out the work thoroughly: made Europeans collectors of revenue, reformed the taxes, overhauled the doings of the *zemindars*, put the judicial courts under English superintendence, and brought to trial Muhammad Reza Khan and Shitab Rai, who, as deputy-Nawabs, had been at the head of the old administration. The trial ended in their acquittal, because no one dared or cared to give serious evidence against them. Shitab Rai was restored, but died soon afterwards; Reza Khan was never restored to his office. Two Courts of Appeal were established at Calcutta, which henceforth, as the residence of the English Governor, was the capital of Bengal and Behar.

This change was still further emphasized by the severance of the connection of the English with the Great Mogul: he fled from Allahabad and joined the Mahrattas, who restored him to Delhi, but the English then refused to pay him the tribute for Bengal, and he, in revenge, began attacks on Oudh, whose

Warren Hastings,
Governor of Bengal,
1772: his Reforms.

Hastings and the
Grand Mogul.

Nawab was the ally and outpost of the English settlement. But the Mahrattas had civil wars to attend to, and in 1772 they desisted from further attack.

The Rohilla Afghans inherited the territory immediately to the North-West of Oudh. They might serve as a barrier for Oudh against Mahrattan attacks in that direction: on the other hand, they might at any time join with them against Oudh. The Nawab alleged that Hafiz Khan, the Rohilla chief, owed him forty lakhs of rupees, and Shuja-ud-Daula, wanting a quarrel, demanded the money: it was refused, whereupon Shuju-ud-Daula, hiring troops from the English, who were glad thereby to help their finances, invaded the country, conquered it, and his troops behaved, as Indian troops always behaved, with what Westerns regard as barbarous cruelty.

Hastings and the
Rohillas.

§ 8. In 1766 the elder Pitt, then forming his Ministry, and taking the title Earl of Chatham (Chap. II., § 11), expressed the idea that the territories which the East India Com-

The Crown and
the Company,
1766-1773.

pany had in self-defence acquired, either from the French or from native princes, should belong to the Crown. That idea has in this century been carried out, and the territories in India which are the possessions of Englishmen are no longer the property of a trading corporation, but of the English Government. But, like other ideas of Lord Chatham, this was not adopted by the men of his generation. The principle which he would have used for the good government of English territory in India was used in 1767 by the Grafton Ministry to justify a tribute of £400,000, which the English Government exacted as the price of a renewal of the Company's charter for two years. Acts were also passed in the same year which limited the dividend that could be declared by the Company in any one year to 10 per cent., and took away the votes of those proprietors who had held their shares for less than twelve months, unless they had been acquired by legacy, marriage, or custom of the City of London. In 1769 the charter was again renewed for five years on the same conditions, but in 1773 it was necessary to do something more.

Ever since the beginning of George III.'s reign, the reaction of India on English politics had been felt. Men left England poor, to join the services of a Company whose pay to its servants was miserably incompetent, and came home rich with the profits of half-lawful commerce. Many of them used their wealth to buy borough seats in the House of Commons from the proprietors, or to bribe the electors away from supporting the local candidates. These men, known popularly as "Nabobs," swelled the number of "King's friends," and voted regularly for George III.'s Ministers, till it seemed as if the home politics of England would become subservient to the wishes of the India Company's servants.

But, while individuals came home from India with fortunes, the Company's finances went from bad to worse. In vain did the Directors at home urge the satisfaction of the proprietors' demands on the unfortunate Governors of the Presidencies: wars, and the necessary expenses of governing a country which was now known to be poor, swallowed up all the profits of commerce, and more, and in 1773 the Company was a suitor to the Government for a loan. Lord North took advantage of their need to impose on the Company two Acts of Parliament.

Lord North's
Regulating Acts,
1773.

(I.) Granted the Company a loan of £1,400,000 at 4 per cent. interest, and relieved them from the tribute they were paying till this debt should be discharged: it forbade them at the same time to declare a dividend of more than 6 per cent., and laid other restrictions on their commercial transactions; but, to help them out of their difficulties, they were allowed to ship to America the tea then lying in London warehouses, without paying the English tax of 1s. a pound.* (II.) The *Regulating Act* (a) raised the qualification for having a vote in the Court of Proprietors to the holding of £1000 stock, instead of £500 as formerly: the Directors, twenty-four in number, were to hold office four years, one-fourth of them retiring each year. (b) The Mayor's Court at Calcutta was to lose all jurisdiction except over small mercantile matters, and all important matters were to go to a new Court consisting of a Chief Justice and three puisne judges appointed by the Crown. (c) For the conduct

* What became of that tea we have seen above (Chap. II., § 16).

of the Executive, a Governor-General of Bengal, Behar, and Orissa was to be appointed, with a salary of £25,000 a year, to be assisted by four Councillors with a salary of £8,000: the other Presidencies were to be subordinate to that of Bengal. The Governor-General and Councillors were to be appointed in the first place in the Act of Parliament, and to hold office five years; afterwards, they were to be appointed by the Directors, subject to the supervision of the Crown. The Governor, the Council, and the Judges were not to engage in commercial pursuits.

India was, in fact, to be ruled as a State, not owned as an English ideas estate. The interest of Indian history for the about India. next ten years centres round the person of the first Governor-General of Bengal, Warren Hastings. The reason for this lies in the fact that, after Hastings returned to England in 1785, he was impeached by the House of Commons for wrongfully conducting affairs in India. From the very beginning he had bitter personal enemies, who opposed his policy in Calcutta, and roused the feelings of Englishmen against him at home, so that the period of Indian history which covers the first Governor-Generalship* had such a fierce light beating upon it that nothing done or left undone by any of the parties concerned has escaped notice, and even angry discussion. Englishmen then first realised what a world of politics India was, how different from their own; and when the first Englishman who attempted on a large scale to enter into those politics founded his conduct in India on a morality which might be justifiable in the air of Eastern politics, but which seemed strange and immoral to England, they feared that, as in ancient Rome the wealth of the provinces had corrupted the aristocratic republic, so in England the splendid prizes of wealth and political power which were to be gained in India would affect the English Constitution. It is in the light of the last great impeachment (save that of Dundas) that we must choose and present the events of Indian history, 1774-1785.

* The first "Governor-General of India" was appointed in 1833, and was *ex-officio* Governor of Bengal. Twenty years later, a Lieutenant-General of Bengal was set up.

§ 9. Warren Hastings was appointed first Governor-General of Bengal: the members of his Council were Barwell, a servant of the Company already in India; General Clavering, Colonel Monson, and Philip Francis, who

Opposition to
Warren Hastings as
Governor-General,
1773.

came out from England, strongly prejudiced against the previous policy of the Company: of these the cleverest and most active was Francis, who, if he were the author of the *Letters of Junius* (Chap. II., § 12) had already been famous in English politics. They began their career by condemning the policy of the recent Rohilla war, and called for papers: Hastings would supply only extracts. In 1775, Shuja-ud-Daula, the Nawab of Oudh, died, and quarrels arose as to the policy to adopt towards his successor. Hastings wished merely to retain the old relations: the Opposition wished to obtain the suzerainty over Benares, and to increase the Nawab's contribution to the expenses of the British troops. The Opposition outvoted Hastings.

The mother and grandmother of the Nawab claimed his treasures as private property, Hastings claimed it for the State. The Opposition took the side of the Begums, and saved for them all but a quarter million sterling.

The Begums
of Oudh:
Nund-komar.

Nund-komar, a Brahmin, brought forward accusations of peculation against Hastings in private matters; Hastings refused to answer the charges; the Opposition voted they had been proved. Hastings then brought an action against Nund-komar for conspiracy; the judges admitted the charge, but allowed Nund-komar to go out on bail; Nund-komar was charged with forgery on a private suit, found guilty by Hastings' friend Sir Elijah Impey, and, according to English law, hanged.

In 1775 there was civil war in the Mahratta Confederacy between rival claimants for the office of Peishwa: one of them, Rughonath Rao, applied to the Bombay Government for help, offering to cede them Salsette and Bassein, two ports which the English had long desired to possess. The arrangement between them was known as the *Treaty of Surat*, and the combined forces were successful.

Hastings and the
First Mahratta
War, 1779-82.

Both Hastings and the Opposition in his Council condemned the war, but differed as to the policy now to be pursued. Hastings wanted to maintain the Bombay policy: he was outvoted, and, by orders of the Calcutta Council, the *Treaty of Purundhur* was made 1776 with the existing Mahratta Government, by which they gave up Salsette, but no more, and the English abandoned their ally. Soon afterwards Colonel Monson died, and the Opposition was reduced to two; and Hastings could take advantage of his casting vote to thwart his two opponents. Orders came from the Directors, approving the Treaty of Surat, condemning that of Purundhur. News arrived in India of the speedy outbreak of war between England and France—the war of the American Colonies (Chap. II., § 19)—and Hastings took advantage of these favourable circumstances to push on a war with the Mahrattas, not for the sake of Rughonath Rao, but to defeat the negotiations which the French were conducting at Poona, the Mahratta capital, through St. Lubin. Accordingly an army marched from Bombay towards Poona; but Rughonath Rao's party utterly collapsed, and the English, alarmed at the preparations made to receive them, concluded early in 1779 the *Convention of Wurgaum*, by which they agreed to restore Salsette and to countermand the march of Colonel Goddard whom Hastings was sending across the country from Calcutta. This convention was repudiated by both Bengal and Bombay, and the first Mahratta war was begun. In 1780, Colonel Goddard entered Guzerat and captured Ahmedabad, the capital of Guicowar, while Popham took Gwalior, the chief fortress of Sindia. Forbes, a civilian of Bombay, moved the wonder and admiration of the natives by his administration of the newly conquered territory.

§ 10. Hastings had at one moment expressed his intention of resigning: the Directors had accepted the resignation handed in by his agent, and appointed Clavering to succeed him. By the time these orders had arrived, Hastings had

Renewed
Opposition to
Hastings in
Council.

changed his mind and held his office in opposition to Clavering. For some time there were rival Governors-General and rival Councils, but after a time the Supreme Court decided the question in favour of Hastings, and soon

Clavering died. A new accession to the Council, Wheler took the side of Francis; but Hastings still had Barwell on his side, and could defeat his opponents. Barwell wanted to leave for England, and Francis engaged not to oppose Hastings in the conduct of the Mahratta war; but, when Barwell had gone, Francis resumed his opposition, explaining that he meant his promise to extend only to the war on the Malabar coast, not to the extension into Hindustan which Hastings was planning. The consequence was a duel between the two, in which Francis was wounded, and soon after left for England (1780).

The War with
Hyder Ali,
1780-81.

Meanwhile, the affairs of the Madras Presidency were drifting into disaster. Muhammad Ali, the Nawab of the Carnatic, had proved himself incapable, and Rumbold, the Governor of Madras in 1778, was offending Hyder Ali, the capable ruler of Mysore. The war with France was now well begun, and the English had captured Pondicherry (1778): they wanted also to get possession of the French settlement of Mahé. Hyder Ali was doubly aggrieved at this, because it was through this part that he communicated with Europe, and the English troops were marching through his territories to reach it. Spite, therefore, of conciliatory missions, Hyder Ali in 1780 invaded the Carnatic, devastating wherever he went. He routed the army of Sir Hector Munro, and cut to pieces that of Baillie, and in three weeks brought the British Empire in Southern India to the verge of ruin. The English had also managed to affront Nizam Ali of Hyderabad, and thus they had in this year to face a confederacy of the three Powers of Central India—Hyderabad, Mysore, and the Mahrattas.

Hastings discovered a plan of Hyder Ali's to get possession of Hyderabad, and disclosed it to Nizam Ali, thus detaching him from the confederacy, deposed Whitehill, who had succeeded Rumbold at Madras, and sent Sir Eyre Coote to the Carnatic, where he defeated Hyder Ali at Porto Novo (July 1st, 1781), Polilore (August 27th), and elsewhere.

How Hastings
raised money.

But this struggle cost the English Government money. Cheit Singh, Raja of Benares, was a feudatory of England: had he stood in the same relation to "a Moghul or Mahratta sovereign, he would have been imprisoned and squeezed until nothing was left of

his treasures.”* Hastings had demanded from him additional tribute for the purposes of the war: he refused and was fined; in enforcing the fine, Hastings was in personal danger from violence, but Cheit Singh fled and was deposed, his nephew was set up in his place, and the tribute nearly doubled. Asaph-ud-Daula, the Nawab of Oudh, was called upon for arrears due to England: he could not pay these without the help of the treasures formerly guaranteed to the Begums: Hastings withdrew this guarantee and forced the money from them by imprisoning their servants.

During the years 1781-2, peace was made with the Mahrattas: by the *Treaty of Salbai*, Rug-honath Rao was set aside and pensioned, Salsette was retained by Bombay, other conquests were given up, and Guzerat was given to Mahadaji Sindia, one of the great Mahratta chiefs.

Hyder Ali died in 1782, and in 1784 peace was made with his son, Tippu Sultan, on the basis of mutual forbearance and restitution of prisoners.

It may be also mentioned that the war with France and with Holland directly led to the capture of their possessions in India. In the Treaty of Versailles, 1783 (Chap. II., § 23), Mahé, Pondicherry, Chandernagore, and all other places taken from France, were restored. Similarly, the places taken from the Dutch in Ceylon were restored, but Negapatam was retained.

§ 11. It is evident from this slight sketch of Indian history that Hastings had made many enemies: the members of his Council, the Governors of Madras or Bombay, with all whose official doings he interfered, and many of whom had returned to England or had friends there, raised an outcry in Parliament and the country that, growing steadily, at last made Indian affairs one of the most important matters of parliamentary discussion. In 1781, Lord North appointed two committees of the House of Commons to inquire into alleged abuses: one, which was called a select committee,

Peace with the
Mahrattas,
Tippu Sultan and
Frances, 1782-4.

Home Attacks on
Hastings,
1781-2.

* Talboys Wheeler's *Short History of India*, p. 374, note 1.

was presided over by General Richard Smith, and had for one of its members, Edmund Burke; the other, a secret committee, had for a president Henry Dundas, Lord Advocate of Scotland. All the events of Hastings' administration were here discussed, and Sir Elijah Impey, the Chief Justice who had condemned Nund-komar, was summoned home, and the House resolved that it was the duty of the Court of Directors to recall Hastings: they voted an order of recall in May, 1782, but the following October the Court of Proprietors passed a contrary vote, and the Directors thereupon rescinded their former vote. It will be noticed how these votes were affected by the changes of Ministry: in May, Rockingham, the patron of Burke, was at the head of affairs, while Fox was Secretary of State; in October, Rockingham was dead, Fox and Burke were in opposition (Chap. III., §§ 4, 5).

In April, 1783, the Coalition Ministry came into power, and Fox was again Secretary, Burke and Sheridan were their chief supporters in the House of Commons. The now constant

Fox's *India Bill*,
1783.

attacks on both the system and its chief were to bear fruit. An *India Bill* was introduced by Dundas, in which the main proposal was that some great nobleman should be appointed Governor-General, and that he should have greater powers than before, specially that he should be able to override his Council. But Dundas was not a member of the Ministry, and his proposals were put aside in favour of Fox's *India Bill* introduced in November.

The authority which the Company had exercised was to be transferred to Seven Commissioners, who at first were to be named in Parliament, and to hold office for four years, after which vacancies were to be filled by the Crown. This Council were to be trustees of the Company's property, and to control the action of a subordinate council of eight directors, who were to manage only the commercial affairs of the Company.

The Bill named the seven commissioners who were to compose the superior Council: and this laid it open to the most vigorous attack. The attempt to control the Company's commerce was sufficiently resented in a House of Commons where "nabobs" had bought seats, and India was, as Pitt said, indirectly represented: but the attempt to create a

sphere of patronage (worth £300,000 a year), which limited the power of the Crown, giving over to nominees of the Ministry just then in power the control of India for four years, led the King and his friends to oppose, not only the Bill, but the Ministry.

We have seen already (Chap. III., § 5) how George III. defeated the obnoxious measure, and dismissed the Ministers. The crisis of 1783 was an Indian crisis quite as much as one of English Constitutional history. It was the period when India most powerfully affected English politics. In the following August, Pitt, the new Minister (Chap. III., §§ 6, 7), introduced another Bill* for the regulation of India, which evaded the difficulties that had wrecked the two former Bills, and which remained in force till 1858, when the friction caused by the double control was found too great to be endurable, and new methods were adopted.

The Company was left in possession of its present power over business and patronage, but the supreme civil and military authority was transferred to a new *Board of Control*, consisting of six members of the Privy Council, chosen by the Crown, and always including the Chancellor of the Exchequer, and one of the Secretaries of State: all the real power was vested in the President, who was directly responsible to Parliament and the Crown. The responsibility of the Company to a Board which in turn could be affected by English politics adapted the Government of India to English requirements.

§ 12. The problem of the government of India, however, was destined to furnish another illustration of the English method of solving Constitutional questions. Just as in the mediæval Constitution the House of Commons had resolutely thrown off all written Constitutions, and, perhaps unconsciously, avoided all definitions of the respective powers of King and the three Estates, but had resorted to impeachment as a means for controlling Ministers when they wandered beyond the invisible barriers within which they ought, in the opinion of Parliament, to have confined themselves, so now,

The problem of governing India—then and now.

* This is supposed to have been the work of Dundas, as Fox's was that of Burke.

rejecting proposals which too rigidly prescribed the work of English Governors in India, they singled out the man in whom the viciousness of the system seemed to be incarnated, and impeached him. And, just as in the earlier time impeachment required that the errors of statesmen should be represented as crimes, in order that they might be condemned by the House of Lords sitting as a judicial body, so now books of Indian morality were quoted, and the deeds of Hastings exaggerated till he seemed to be a monster of iniquity. It is easy to understand it all now, when the problems are all solved that then troubled Englishmen, when France no longer threatens, and Mysore, Hyderabad, and the rest are names of districts either actually belonging to or dependent on the British Empire of India, and the telegraph and steamship going by the Suez Canal bring India within a day for some purposes, and within three weeks for all, of the English parliament. But *then*, India was three months away, even for important despatches; the distinction between a trading Company and an Imperial Government had not been made; the danger of swamping the English Constitution with Indian wealth had not been averted. A century is too long to catch the echoes of Burke and Sheridan's terrific denunciations and pathetic appeals.

In 1785, Hastings returned from India; in May, 1787, at last the House of Commons resolved to impeach him: the trial began in February, 1788; it ended in April, 1795. But it did not last so long as these dates at first suggest: the Court sat only 148 days, of which 118 were given to argument and evidence. The verdict was an acquittal. What did it mean? To use a popular phrase, it meant: "We let you off this time, but don't do it again!" The system was condemned, the man was acquitted: no Governor after Hastings was placed in such difficulties, none attempted his course of action. The State was saved; the air of corruption and Eastern morality was cleared as by a thunderstorm; and Anglo-Indian politics were better after the Bills and the Impeachment than they were before.

It remains to review briefly Indian events, 1785-1800.

Impeachment and Trial
of Warren Hastings,
1786-95.

§ 13. The successor to Warren Hastings was Lord Cornwallis: he landed in India, 1786, and his first years were devoted to social and political reforms. He gave to the servants of the Company adequate salaries and put

Lord Cornwallis,
1786-93 :
his reforms.

an end to the system of perquisites; he raised the tone of society in Calcutta; he gave to the zemindars of Bengal a perpetual holding of the lands of which they had previously been only tax-collectors, and guaranteed them a fixed rent; he separated all judicial functions from those of revenue-collecting, and erected courts of appeal.

Tippu Sultan of Mysore, in 1788, made an attack on the Raja of Travancore, who was under British protection, and Cornwallis made arrangements for a war against Tippu on this account: Pitt's Regulation Act had forbidden

Tippu
Sultan of Mysore,
1788-93.

the formation of alliances with native princes; Cornwallis kept the spirit of the Act, while breaking its letter by entering into negotiations with Nizam Ali of Hyderabad for help, but refused to guarantee his territories against the Mahrattas, from whom he feared attack, for a longer period than the duration of the war. In 1790 the war began: General Medows conducted the military operations, which were unsuccessful, and Tippu devastated the Carnatic. In 1791, Cornwallis was more successful, and, after the capture of Bangalore, was joined in a feeble way by the Nizam as well as the Mahrattas; but these allies were both more inclined to plunder than to fight. In 1792 he besieged Seringapatam, and Tippu, overwhelmed with the English resources, submitted to the *Treaty of Seringapatam*.

Tippu ceded half of his territories to be divided between the English, Nizam Ali, and the Mahrattas, to pay £3,000,000 as indemnity for the war, and to give up his two sons as hostages.

The Mysore War showed that the policy of non-intervention was impossible, but so too was the policy which Cornwallis attempted to substitute for it—that of a balance of power, similar to that which had prevailed in Europe during the eighteenth century. In Europe, the Powers professed at least to wish to maintain peace; in India, there was no such desire—rather a wish to make war in the hope of gaining territory.

In 1793, Lord Cornwallis returned to England, and was succeeded by Sir John Shore, who had been one of his best counsellors, and who is credited with the introduction of the perpetual settlement in Bengal. During the five years that he held the office of Governor-General, the policy of non-intervention was strictly adhered to, and there is accordingly nothing of first class importance to record. He retired, in 1798, with the title of Lord Teignmouth.

Sir John Shore,
1793-S.

He was succeeded by Lord Mornington. While the English had let the native states alone, France, in the vigour new-born of the Revolution, had been winning influence in India. "One army of French sepoys was in the service of Nizam Ali; another French army was in the service of Daulat Rao Sindia, one of the Mahratta chiefs, and Tippu Sultan was entertaining French officers, and courting a French alliance."* Mornington's policy was to put an end to this, peaceably if possible; for France had since 1793 been at war with England, and in this year 1798 Napoleon was making the expedition to Egypt (Chap. III., § 11) which was to establish easy communication for the French with India.

Mornington,
1798-1805.

Nizam Ali, of Hyderabad, was induced to substitute English forces for French. Nana Farnavese, the chief of the Mahratta Government, promised help against Tippu, and in 1799 war was declared against Mysore. General Harris led the English force and the Hyderabad allies: the Mahrattas held back. Among the English officers concerned in this expedition was the younger brother of the Governor-General, the Colonel Arthur Wellesley, afterwards Duke of Wellington. Tippu fell back again on Seringapatam and refused all terms of surrender. "Better," he said, "to die like a soldier than to end my days as a pensioned Nawab." When Seringapatam was stormed in May, he was found dead in a gateway. Part of his dominions was made into a Hindu kingdom, part given to the Nizam, part to the Peishwa of the Mahrattas.

Storming of
Seringapatam,
March 4th, 1799.

§ 14. Tippu died rather than become a "puppet Nawab":

Possible English
Policies in India.

but other princes of India were sinking into this position. The policy of non-intervention had failed: so had the "balance of power": it was the policy of Lord Mornington, or, as we must call him after the victory over Tippu, of Marquis Wellesley, to make England a predominant Power in India. At the end of the century this policy had been fully adopted. Its justification can hardly be better summarized than in the words of Lord Minto (Governor, 1807-1813):—

"Every state in India is a military despotism; war and conquest are avowed as the first and legitimate pursuits of every sovereign or chief, the whole source of glory and renown. Among the military states and chiefs of India the pursuits of ambition can alone be bounded by the inability to prosecute them."

One of the last acts of the unreformed Indian Government in 1784, under the guidance of Lord
"Intervention
and
Annexation," Macartney, Governor of Madras, had been to undertake the government of the Carnatic and reduce the Nawab to a cipher: but his

creditors saw that by this means they would fail to recover their money, and they succeeded in persuading the new Board of Control to reverse the process and restore the Nawab, and that his debts should be paid out of the revenues of the Carnatic. Among others, Paul Benfield, formerly in the service of the Company, lately a servant of the Nawab, gained some £250,000. In 1792, Cornwallis reverted to Macartney's arrangement, and concluded a treaty with Muhammad Ali by which the whole international policy of the Carnatic was undertaken by the Company. In the second Mysore war it was found that Muhammad's successor, Umdut-ul-Umra, had negotiated with Tippu. The Nawab was dying and was not disturbed; but on his death, in 1801, the whole government of the Carnatic was undertaken by the Madras Government, and the new Nawab received a pension of £50,000.

In 1800, the Raja of Tanjore was similarly reduced to a cipher, and about the same time the Nizam of Hyderabad became a feudatory of the English.

Wellesley was unable to bring the Mahratta princes into

such relations, but the Nawab of Oudh was compelled to cede half his territories and revenues for the protection of the remaining half.

Thus England, at the beginning of this century, entered on the path along which she has advanced so far since. The measures were dictated at the time by the dread of an Afghan invasion under Zenan Shah, which, however, never occurred; in 1800, Zenan was dethroned and blinded by one of his brothers, and sought refuge in India, but, as Professor Seeley says:—

“India has one vulnerable point. There is one point at which the mountain barrier can be penetrated. It can be invaded from Persia, or from Central Asia through Afghanistan. . . . We may reckon eight great invasions by this route. . . . A review of them shows that, though India has but this one point by which she is vulnerable by land, yet at this point she is very vulnerable indeed.”

In 1800, John Malcolm was sent to the Persian Court, to watch the secret movements of France. Thus, as we have seen in 1800 the beginning of the internal policy which has been pursued in India this century, so we see too the beginning of the external policy which has constantly reacted on the other—a desire constantly to secure the north-western frontier, and so to hold the forces of India that we can use them in that direction without unnecessary delay.

CHAPTER V.

Ireland down to the Act of Union 1800.

§ 1. The English in Ireland, 1170-1688.—§ 2. Religious Settlement in Ireland after the Revolution.—§ 3. Political and Commercial Restrictions on Ireland.—§ 4. Wood's Halfpence and the *Drapier's Letters*, 1723.—§ 5. The beginnings of Irish Agitation, 1750-60; the "Whiteboys."—§ 6. Flood in Opposition and in Office, 1767-78.—§ 7. The "Volunteers"; the *Mutiny Act*; Legislative Independence of Ireland.—§ 8. Grattan's Parliament of 1782: its shortcomings.—§ 9. The "Peep o' Day Boys" and the "Defenders"; the "United Irishmen"; Reforms of 1792-3.—§ 10. George III.'s Opposition to Catholic Emancipation; Consequent Disturbances and Rebellions, 1796-8.—§ 11. How the *Act of Union* became Law, and what it contained.

§ 1. "THE conquest of Ireland began in 1170, and has continued ever since," was the answer of a schoolboy whose blundering came very near the truth. It is not necessary now to trace the whole story of that conquest, but only to mention two events before the year 1685, whose effects still determined the condition of the country.

Ireland was opposed to the Tudor dynasty in two ways: first as a partisan of the Yorkist family, later as a Roman Catholic country. The first opposition led to the passing of those laws known as Poynings' (1495), which made the Irish Parliament subservient to the Privy Council. The Constitutional regulations named after this famous deputy were:—

(1) that all laws then in force in England were to be binding also in Ireland;

(2) that "no Parliament should in future be holden in Ireland, till the King's Lieutenant shall certify to the King, under the Great Seal, the causes and considerations, and all such Acts as it seems to

them ought to be passed thereon, and such be affirmed by the King and his Council, and his licence to hold a Parliament be obtained." (Hallam, Chap. XVIII.)*

The second opposition of Ireland to the Tudors led to the establishment, as a foreign garrison, of the English Church system in Ireland under Elizabeth. The Tudor churchmen failed to address the Irish in their own language, the only concession in this matter being that, "where the minister had no knowledge of the English language he might read the service in Latin." (Hallam.)

These were the laws which regulated the relations of Ireland to England: we need not now tell the story of the vicissitudes of policy which Ireland suffered throughout the reign of Elizabeth and the Stuarts, how England vacillated between the policy of maintaining native chiefs so long as these governed somewhat according to "English ideas," and that of repression of the chiefs; nor need we do more than mention the policy of wholesale deportation of the Irish, by which Ulster was converted into a Protestant Anglo-Scottish colony. Of Strafford's Government, and the reaction after his departure which culminated in the Rebellion of 1641, of the Puritan Henry Cromwell, and the confusion that arose at the death of Oliver and the Restoration, we need say no more than that they added to Irish politics the further question of land tenure.

Under Charles II. and James II., of course, Roman Catholic Ireland had hopes of happier times. In James II.'s reign

"a dispensating prerogative set aside all the statutes; every civil office, the Courts of Justice, and the Privy Council were filled with Catholics; the Protestant soldiers were disbanded; the citizens of that religion were disarmed; the tithes were withheld from the clergy."†

The consequence was that, while England and Scotland gladly welcomed William of Holland to be their Protestant

* "This restriction, however, was afterwards relaxed: and laws were certified in the same manner, after the opening of Parliament. Parliament could say 'aye' or 'no' to the edicts of the Crown: but could originate nothing itself." (Erskine May, III., 304.)

† Hallam, *Const. Hist.*, Chap. XVIII.

King, Ireland had again to be conquered. Three years' warfare, including the Battle of the Boyne, was necessary before the victory was complete, and then the Roman Catholic country was treated as a subjugation by the victorious Protestants.

§ 2. At the surrender of Limerick, 1691, a treaty was made by which it was promised that

Treaty of Limerick,
Oct. 3, 1691,
and after.

"all Roman Catholics of this kingdom shall enjoy such privileges in the exercise of their religion as are consistent with the laws of Ireland, or as they did enjoy in the reign of King Charles II.: and their Majesties, as soon as their affairs will permit them to summon a Parliament in this kingdom, will endeavour to procure the said Roman Catholics such further security in that particular as may preserve them from any disturbance upon the account of their said religion."

But the Irish Parliament was more narrow in its franchise, more subject to royal influence and the management of borough-owners, than even the English Parliament.

"The House of Lords was composed of prelates of the Protestant Church, and of nobles of the same faith. . . . Nomination boroughs had been more freely created by the Crown: in towns, the members were returned by patrons or close corporations; in counties, by great proprietors. In an assembly of 300, twenty-five lords of the soil alone returned no less than 116 members" (Erskine May, III., 300);

and it is therefore no wonder that, when the Irish Parliament met in the reign of William and Mary, quite other Acts were passed than those foreshadowed in the Treaty of Limerick.

"No Papist was allowed to keep a school, or to teach in private houses, except the children of the family. . . . Severe penalties were denounced against such as should go themselves or send others for education beyond seas in the Romish religion. (7 Wm. III., c. 4.)

"Intermarriages between persons of different religions and possessing an estate in Ireland were forbidden; the children, in case of either parent being Protestant, might be taken from the other to be educated in that faith. . . . No Papist could be guardian to any child; but the Court of Chancery might appoint some relation or other person to bring up the ward in the Protestant religion." (9 Wm. III., c. 3; 2 Anne, c. 6.)

All kinds of regulations were made to prevent Roman Catholics holding land; they were forbidden the possession of arms; and, while no new penalties were laid on the

celebration of Roman Catholic worship, strict punishment was decreed on all priests coming from abroad.

Such was the religious settlement of Ireland at the Revolution: such were the laws by which, if possible, the theocracy in England sought to assimilate its Irish subjects to Protestantism. To an extent they succeeded: "the wealthier families conformed in many instances to the Protestant Church;" and, though "such conversions were naturally distrusted, the practice of the law, from the top to the bottom, was almost wholly in the hands of these converts" (Hallam). But of course the mass of the people remained in their old faith, and as the heats of religious controversy died away in England the laws against Roman Catholics, though unrepealed, were less and less enforced.

§ 3. We have seen throughout the whole of our period how the world passed out of an age of theocratic struggles into one of commercial rivalries, and this is true in Irish history as well. The theological hatred faded away, but the political and commercial disputes continued.

Political
Government
of Ireland.

The English Privy Council continued to control the work of the Irish Parliament, though the manner was somewhat changed.

"Heads of Bills were prepared by either House, and submitted to the Privy Council in Ireland, by whom they were transmitted to the King, or withheld at their pleasure. If approved by His Majesty, with or without amendments, they were returned to the House in which they had been proposed, where they were read three times, but could not be amended. . . . Many Bills continued to be transmitted from the Privy Council, and were accepted by the Commons." (Erskine May, III., 304.)

But not only was the Irish Parliament subject to the Privy Council: it was also subject to the British Parliament. The matter was for some time disputed, but an Act of 1720 explicitly affirmed their right, and in the same year "the appellate jurisdiction of the Irish House of Lords was superseded and annulled by a statute of the English Parliament." (Erskine May, III., 305.)

Regulation of Irish
trade.

This is, of course, the position which the English Parliament maintained towards the North American Colonies, and which it still maintains towards all the Colonial Parliaments of the British Empire which exist only by virtue of Acts of the British Parliament (e.g., *Western Australian Bill* of 1890). We should therefore feel no surprise that England treated Ireland in commercial matters just as she treated the Colonies. We need not endorse the strong language which Erskine May uses to describe this commercial policy, because we have already seen (Chap. II., § 8) how this was the universal policy towards "plantations" in the seventeenth and eighteenth centuries. They existed for the good of the mother country, and therefore must not be allowed to compete with her merchants. Consequently we find that an Act of 1681 (32 Chas. II., c. 2) prohibited the export from Ireland of cattle, sheep, and live stock, while another of 1699 (10 and 11 Wm. III., c. 10) forbade the exportation of wool and woollen goods. And Ireland was subject, of course, to the Navigation Act of 1651.

§ 4. "Happy is the nation that has no history" is a proverb whose wisdom we begin to doubt when we reflect that from the beginning of the eighteenth century till its middle there

The Charter Schools, 1733.
is scarce anything to record of Irish history. There are only two events of note during the reign of the two first Georges. In 1733, Archbishop Boulter established schools for the education of poor children, with the open intention of thereby bringing them up to the Protestant faith. Eleven years later Lord Chesterfield was appointed Lord-Lieutenant of the country, and it was owing to his unusually reconciliatory attitude towards the people that Ireland remained quiet during the Stuart revolt in Scotland. Yet the exiled Stuarts were recognised as kings by the Catholic Irish Church: they appointed the prelates.

Wood's Halfpence and the "Drapier's Letters."
One other event took place in Ireland, and had its occasion in Irish matters, but it is in no other sense an Irish question, consisting as it did of a contest between an English Government and one of its most famous literary opponents. It may be taken almost for granted that Swift, in the

Drapier's Letters, had no real interest in the Irish people, whose cause he took up for the moment: the scandals of Wood's patent, such as they were, served him only as a means of avenging his "banishment" to the deanery of St. Patrick's, Dublin.

In 1722, complaint was made to the Lords of the Treasury of the base quality of the copper coinage then circulating in Ireland, and, as there was no mint there, the Government granted the privilege of supplying the new coinage to the Duchess of Kendal, the King's mistress. Of course, whoever made the coinage expected to make profit on the transaction; and it was quite in accordance with the Constitution of the day that these profits should be secured to some one about the Court. The Duchess of Kendal sold the patent to Wood, an ironmonger of Birmingham. By the terms of the patent, one pound avoirdupois of copper was to be coined into half-pence and farthings to the nominal value of half-a-crown. It seems, on examination of the price of copper and the cost of production, that the profit on the transaction was not extraordinary, and that, if the amount of the coin so manufactured were reasonable, there would have been no fair ground of complaint. But it happened that neither the Irish Privy Council nor any other local authority had been consulted, and that, instead of the ten or fifteen thousand pounds' worth which would have been sufficient to supply the deficiency, Wood was obliged, in order to get any profit, to coin over a hundred thousand pounds' worth. Further, it was urged that, whereas in England the copper coinage was not more than a hundredth part of the whole currency, the whole coinage of Ireland amounted only to £400,000, and thus the copper thus imported was such a large fraction of the whole, that it threatened to displace the gold and silver coinage.

Whatever might be the valid arguments on either side, Dean Swift, in a series of letters, signed "A Drapier of Dublin," stirred up local feeling against the new coinage to such an extent that the animosity did not cool down till Carteret was sent over, in 1724, to allay the discontent. Consequently, the patent was revoked, not on its own merits, but because of Swift's opposition, and Wood was compensated with a pension of £3000 a year for eight years. The Commission

appointed to inquire into the matter reported that his coinage was good on the whole, and that he had not obtained the patent clandestinely. The most interesting point about the whole affair is that, in the fourth of the Letters, Swift brought forward the argument in favour of Irish legislative independence which William Molyneux had advocated in 1699 in his *Case of Ireland bound by Act of Parliament made in England*. When the warrant issued by the Government against the writer of this letter was presented to the grand jury of Dublin, they rejected it, and instead “presented”—*i.e.*, accused as criminals—all those who had received Wood’s coinage.

§ 5. We must therefore conceive Ireland in 1750 as a country in which the religion of the majority was illegal, but where the penalties attached were not strictly enforced;* in which the Parliament, representing only the Protestant minority, was ever within this circle, corrupted by pensions and places, unable to make laws without the permission of the English Privy Council or Parliament, elected only at the beginning of each reign, meeting perhaps only once in two years, and having no real control over the taxation of the country; in which trade and commerce were regulated mainly in the interests of the neighbouring island.

But in the year 1753 the great parliamentary history of Ireland began: the House of Commons in that year entered into a contest with the King as to the appropriation of a surplus revenue, and, though they lost in the first conflict, the very fact of their entering into a Constitutional struggle marked the beginning of agitation. With the reign of George III. further changes took place: the Lords-Lieutenant, who had previously resided in Dublin but six months out of their two years’ tenure of office, and had left the government of the country to the Lords-Justices, now began to reside there for longer periods. The Parliament elected in 1760 began to

* In 1732 there were estimated to be nearly 900 mass-houses, and some 1,500 priests (besides regulars) in the kingdom.

agitate against the excessive Pension List and the length of Parliaments: they demanded a Septennial Act as in England.

At the same time, outside parliamentary circles, there were societies formed against the evils of subletting and the exaction of tithe. These societies, under the name of "Houghers" and "Whiteboys," were secret and violent in their action, and, though the societies formed in the North were soon dispersed because the grievances they opposed were repealed, those of the South have been chronic to the present day.

§ 6. In 1767, Lord Townshend became Lord-Lieutenant, not as heretofore for two years, but intended to reside for a longer period. Henry Flood (*The Octennial Act*, 1768. Chap. III., § 7), who had entered Parliament in 1759, and had been leading the agitation for the shortening of Parliaments, succeeded, in 1768, in getting an *Octennial Act* for Ireland, by which it was hoped, but to no purpose, to break the current of corruption.

"The Government vainly attempted to supplant the undertakers in the management of the Commons, and were soon brought into conflict with that Assembly. The Commons rejected a Money Bill 'because it did not take its rise in that House'; and, to prove that they had no desire to withhold supplies from the Crown, they made a more liberal provision than had been demanded."

The Lord-Lieutenant prorogued Parliament as soon as possible, and it remained so prorogued for fourteen months.

In 1771, and again in 1773, there was a conflict over Money Bills, the Parliament fighting for the right to originate them, and the Government opposing the claim. In 1773, Townshend was succeeded by Lord Harcourt, and under his rule, in 1775, Flood took office as Vice-Treasurer of Ireland, perhaps because the Government of Harcourt at first promised to be somewhat better and less corrupt than those of his predecessors. His position, as leader of the Opposition, was taken by Henry Grattan, whose ideas, besides including those of Flood for legislative independence, extended also to Catholic relief. Under his leadership, the Commons again rejected the Money Bills of the Government, and refused to allow Protestant troops from England to replace the 4000 men who had been

withdrawn for the American War. The Parliament that showed such opposition to the Government of George III. and Lord North was, of course, dissolved (in 1776), and no new one was called for sixteen months.

The revolt of the American Colonies naturally had a great effect on Ireland, which was governed on the same principles: accordingly, we find the Irish demanding relaxations in the regulations that controlled their trade, and in 1778 the English Parliament passed a Bill for that purpose; but the opposition of English manufacturers was so strong that the Bill did nothing more than give a small relief to the linen-trade, and some openings in the West Indies and African commerce. The Irish Parliament was meanwhile relaxing some of the more severe of the penal laws against Roman Catholics, and, though they would not allow them to own land, permitted them to hold it on a 999 years' lease.

§ 7. In 1779 an attempt to raise a purely Protestant militia in Ireland failed, because the Government could not find the money to pay the men; but the Irish raised Volunteer corps for defence, and the Government, realising the danger of possible invasion, distributed 16,000 stand of arms. The Volunteers chose their own officers, shouted for free trade, and received the thanks of the British Parliament for their patriotism. The Irish Parliament, under the influence of the popular movement, voted supplies for only six months, and in the general alarm the British Parliament, in 1790, removed the prohibitions against the export of woollen goods and glass, threw open the colonial trade to the Irish, and allowed them to become members of the Turkey Company and to trade with the Levant. Flood, though still holding his office of Vice-Treasurer of Ireland, spoke in favour of Grattan's proposals for legislative independence, and he was in 1781 accordingly dismissed for speaking against the Castle expenditure: henceforward he was again in opposition, but he never recovered his old position. Grattan had superseded him as the leader of Irish patriots.

The Opposition was further excited by the passing of a new Mutiny Act for Ireland: hitherto Ireland had been in-

cluded in the Mutiny Act for the whole United Kingdom, an Act which Parliament had taken care to make annual only, so as to make its annual calling a necessity to Government (*cf.* Ch. III., § 6).

*The Mutiny Act
of 1779.*

But advantage was taken of the new arrangement to force through the Irish Parliament a permanent Mutiny Act, which, therefore, so far as the army was concerned, made the Government independent of the Parliament.

The political agitation in Ireland only increased: we have seen already (Chap. II., §§ 20–22) that the years 1780–82 include the failure of the war in America, the Armed Neutrality of the North, the outcry against the system of influence, and, as a consequence of these, the fall of Lord North's Administration (Chap. III., § 4). In 1782 the Whigs came into power for a brief space; the American Colonies won their independence; and, surrounded with all these dangers and losses, England could not afford to oppose any longer the demands of the Irish Parliamentary Opposition.

In February, 1782, a meeting of delegates from the Volunteers of Ulster had met at Dungannon "to root out corruption and Court influence from the legislative body, and to deliberate on the present alarming condition of public affairs."

*Grant Legislative
Independence,
1782.*

They demanded the judicial, legislative, and commercial independence of Ireland. Motions brought forward by Grattan and Flood in the Parliament with the same object were rejected by the Government majority. In March, North resigned office, and the Rockingham Ministry sent Lord Portland as Lord-Lieutenant with a new policy. In April, the Irish Parliament adopted a *Declaration of Rights* embodying a demand for independence. In response, the British Parliament, as Fox put it, "met Ireland on her own terms and gave her everything she wanted in the way in which she seemed to wish for it."

"The sixth George I. was repealed: and the legislative and judicial authority of the British Parliament renounced. The right of the Privy Council to alter Bills transmitted from Ireland was abandoned, and the perpetual Mutiny Act repealed." (Erskine May, II., 316.)

Henceforward the Mutiny Act was biennial, and the judges

were independent. It is noticeable also that, in this year of Irish triumph, the Parliament repealed many of the worst laws against the Roman Catholics, allowed them to become schoolmasters, and to own land except in parliamentary boroughs. This exception is noteworthy: it is an illustration of the new Irish Constitution.

§ 8. Ireland had now emancipated herself from the control of the British Privy Council and Parliament: her position was like that of Scotland before 1707, united to England only by the personal tie of the common sovereign. But

The Irish
Parliament and
Influence.

it was a Protestant Ireland that had so emancipated itself: the vast majority of the population, though their enthusiastic loyalty had been used to further the demands of the Parliament, had no share in the triumph thus achieved. The Ireland that had an independent Parliament was a Protestant theocracy, which had only half ceased to persecute as disloyal the Roman Catholics "who dwelt in the land." It was ten years before they were enfranchised. We have seen in the reign of the first two Georges how the necessary confinement of power to the Whig families had introduced into the English Constitution the rule of a corrupt oligarchy, against which the Tories had protested, and against which, when turned against themselves, the Whigs had fought till they brought about the destruction of its worst features in 1782-3 (Chap. III., §§ 3, 4). Now, the limitation of political power and privilege to the Protestant minority in Ireland worked in the same way. The Dungannon assembly had thought to work out the corruption and Court influence by freeing the Protestant Parliament from the control of the British Privy Council and Parliament. The remedy proved to be no cure—rather the reverse. The British Government, finding itself compelled to rule in times of growing danger with two independent Parliaments instead of one, were compelled to use bribery and borough-ownership more than ever in the one most susceptible to such treatment. The last state of the Irish Parliament was worse than the first.

"From 130 to 140 of its members were tied by indissoluble knots to the Government, and could only vote as by it directed. Most of

these were the nominees of the borough-owners: many held places, or enjoyed pensions terminable at the pleasure of the King, and at the smallest sign of insubordination or independence instant pressure was brought to bear upon them until they returned to their obedience." (E. Lawless, pp. 341-2.)

The history of Ireland is henceforth not to be found in that of its Parliament. Flood, for some two or three years, attempted to get their assent to Parliamentary reform, but in vain: no reform was possible except the admission of Catholics to power, and that was not to be expected from them. Flood was opposed to it himself: Grattan saw more clearly that, without Catholic emancipation, no reform was worth having.

§ 9. In 1785, Pitt, recently raised to power in England, tried to complete the independence of Ireland by adding to their legislative and judicial freedom from English control the freedom of their commerce. Restrictions on trade were everywhere to be removed, England and Ireland were to be regarded as one nation with regard to imports; but the commercial interests were too strong in England, and, owing to their influence, Pitt's proposals were so seriously modified that, when the Bill returned to the Irish Parliament—for of course in this matter both Parliaments must be consulted—the scheme was rejected as unsatisfactory.

Pitt and Ireland,
1785.

In 1789, when the Regency question was puzzling the brains of English statesmen (Chap. III., § 7), the Irish Parliament adopted Fox's view and gave the Regency, so far as Ireland was concerned, unreservedly to the Prince of Wales. We do not wonder that Pitt began to form the opinion that a legislative union was necessary.

The national life of Ireland, excluded from Parliament, found for itself other organisations: the "Whiteboys," who represented the anti-rent and anti-tithe element, have been already mentioned (§ 5); the Volunteers, too, we have seen as a political body (§ 7): these last had disbanded themselves in 1785. Now appeared Protestant "Peep-of-day Boys" opposed to Catholic "Defenders" in the North of Ireland. These rival associations came to blows, and on

Agitation
outside Parliament,
1783-91.

September 21st, 1795, a regular battle was fought, the "Battle of the Diamond," in which the Defenders were defeated with the loss of many lives. "Orange" Lodges also were formed, and, above all, on July 14th, 1790, in Belfast was founded the "Society of United Irishmen," organised by Hamilton Rowan and Wolfe Tone, and inspired by the revolutionary spirit in France. The oath administered to their members expressed their objects as

"an identity of interests, a communion of rights, and a union among Irishmen of all religious persuasions, without which every reform in Parliament must be partial, not national, inadequate to the wants, delusive to the wishes, and insufficient for the freedom and happiness of the country."

In the face of these demands, and with the wild confusion of the country in a time of international difficulties, the Government were forced to yield, and in 1792-3 the Irish Parliament effected many reforms in the religious and financial systems of the country.

Reforms of
1792-3.

"Catholics were admitted to the legal profession on taking the oath of allegiance, and allowed to become clerks to attorneys; restrictions on the education of their children and on their intermarriage with Protestants were also removed. . . . Next year all remaining restraints on Catholic worship and education, and the disposition of property were removed: Catholics were admitted to vote at elections, on taking the oaths of allegiance and abjuration (*i.e.*, the power of the Pope); to all but the higher civil and military offices; and to the honours and emoluments of Dublin University." (Erskine May, III., 111.)

"The hereditary revenues of the Crown were surrendered in exchange for a fixed Civil List of £145,000 exclusive of pensions, and a Pension List of £124,000, to be eventually reduced to £80,000." (*id.*, I., 260.)

Besides this much-needed reform in the Irish finances, some of the swarm of placemen and pensioners were excluded from the House of Commons.

§ 10. In 1794 several of the more moderate Whigs (*e.g.*, the Duke of Portland and Lord Fitzwilliam), joined Pitt's Administration (Chap. III., § 13). One of their principles was Catholic Emancipation in Ireland, and accordingly, in 1795, Lord Fitzwilliam was appointed Lord-Lieutenant, and it was

George III.
opposes
Catholic
Emancipation.

expected that something definite would be done. But in that alliance between George III. and Pitt which we have studied in English history, there was to be found a tacit understanding which the present crisis developed: that there was to be no mitigation of the penal laws which maintained the supremacy of the United Churches of England and Ireland. The Fitzwilliam policy was defeated; the popular Lord-Lieutenant was recalled; and, the cause of parliamentary reform in Ireland being thus lost, there were but two alternatives left—rebellion and a closer union.

The Society of United Irishmen, now full of extreme republican notions from France, had for leaders, amongst others, Wolfe Tone and Lord Edward Fitzgerald. They had, apparently, excellent chances of success in the appeal to force which they contemplated, for they intended to do what the American Colonists had done before them—to ally with France who was now at war with England. Wolfe Tone induced the Directory to promise him aid, and fired Lazare Hoche, one of the revolutionary Generals, with the hope of striking a blow at the formidable Pitt in Ireland, and of setting up another Republic in Europe. But it happened to this French expedition as had happened to so many other attempts at invasion of England: the fleet was scattered, the leader driven back to France, and, before he could again set sail and reach his more fortunate comrades, they had abandoned the enterprise in despair. This was in 1796.

The result of this failure at revolt was, as is always the case under similar circumstances, an excessive use of governmental powers of punishment: the measures adopted were those of panic fear, cruel; the absolute want of strength to resist gave the cruelty its full course; and there were horrors committed on both sides which disgraced humanity. Of course, too, the Opposition in Parliament denounced the misdeeds of the Government, and, just as naturally, the denunciations were wasted on the supporters of Government in the Irish House of Commons. In England, where the difficulties of the Government were not so keenly appreciated, the remonstrances had more effect, and Sir Ralph Abercromby was sent to replace the former General, Lord Carhampton.

But the military and civil authorities disagreed: Lord Camden, the Lord-Lieutenant who had succeeded Fitzwilliam, was vacillating, and in April, 1797, Abercromby resigned, and left the army under General Lake.

In March, 1798, Wolfe Tone being in Paris, the other leaders of the rebellious party were suddenly arrested by the Government, Fitzgerald dying of the wounds he received in the encounter.

The Rebellion
of 1798.

And so, the general insurrection which had been planned for the 24th May consisted of detached risings, in which order was no longer possible, and which therefore exhibited only the wilder feelings of the people. In most places the revolt was almost instantly quelled, but in Wexford the task of repression proved more difficult. There the rebels had captured Enniscorthy and Wexford town, and finally encamped on Vinegar Hill, where on June 21st they were entirely defeated and scattered by General Lake. Wexford and the other towns were recaptured, and the rebellion quelled. When it was too late, a French General, Humbert, landed at Killala, with a thousand soldiers, defeated General Lake, but soon had to surrender himself to Lord Cornwallis, who had, in 1798, in the midst of the insurrection, been sent from England as Lord-Lieutenant and Commander-in-Chief. With the hanging of Wolfe Tone, who was captured on board a French man-of-war, the *Hoche*, which formed part of a third expedition, the story of the revolt came to an end. It was marked throughout by the brutal warfare that always attends religious strife. For the contest had not been for Irish independence—that had already been granted; not for commercial privileges—they too had been partly granted: the revolt arose out of the disappointment felt at the withholding of Catholic emancipation. Encouraged by the success of America and of France in overthrowing despotic Governments, the Irish had made the same experiment in the name of religion, and they had to learn that *their* time had not come.

§ 11. But Pitt saw that he could now proceed to carry out his earlier scheme for Ireland, and amalgamate the two Parliaments. An independent exclusively Protestant Irish Parliament had

Pitt's Act
of Union,
Aug. 2, 1800.

proved a failure and a disappointment to all concerned, except the borough-owners. Public opinion in Ireland was for the moment dead; and all that Pitt had to reckon with was the opposition of those pecuniarily interested in the rotten system. That opposition was absolutely invincible, and Pitt therefore boldly adopted in their case the method he had proposed in 1784 for the English Parliament (Chap. III., § 7). The means used by Lord Cornwallis, the Lord-Lieutenant appointed by Pitt for this purpose, have been the subject of much dispute. The discussion has been quite recently revived by those who are interested on one side or other of the question whether Ireland is to try still another experiment at parliamentary government: what is quite certain is that Castlereagh spent on Pitt's behalf over a million of money to compensate the owners of boroughs which were to be disfranchised under the new scheme.

"The patrons of boroughs received £7,500 for each seat; and eighty-four boroughs were disfranchised: Lord Downshire was paid £52,500 for seven seats: Lord Ely £45,000 for six: the total compensation amounted to £1,260,000."

"... The otherwise invincible Opposition was thus bought off, and the Irish Parliament voted its own annihilation: henceforward Ireland was to be represented in the Parliament of the United Kingdom by four spiritual lords, sitting by rotation of sessions; by twenty-eight temporal peers, elected for life by the Irish peerage; and by a hundred members of the House of Commons. Her commerce was at length admitted to a freedom which, under other conditions, could not have been attained." (Erskine May, III., 330-33.)

Ireland was to contribute two-fifteenths of the Imperial Revenue, and the debts of the two countries were to be kept quite distinct. The title of the new State was to be, "The United Kingdom of Great Britain and Ireland."*

The support of the Catholics to the proposal for legislative Union had been gained by promises that their emancipation from penal laws and political disabilities should be the first consequence of the change, and Pitt's Ministry

"were of opinion that Catholics might now be safely admitted to

* The Bill of Union was passed by the Irish Parliament, Feb. 18, by a majority of 46; it was accepted by the English Parliament in July; it received the Royal Assent Aug. 2; and came into force on Jan. 1, 1801.

office, and to the privilege of sitting in Parliament; and that Dissenters should at the same time be relieved from civil disabilities: it was also designed to attach the Catholic Clergy to the State, by making them dependent upon public funds for a part of their provision, and to induce them to submit to superintendence." (Erskine May, i., 118.)

But King George III. believed that he was conscientiously bound to refuse all such concessions, and we have one of the strongest proofs of the nature of the English Constitution at the very end of the eighteenth century, so different from the Constitution of our own time, that, in this conflict, the Minister gave way to the King and resigned office, though then conducting a great war with what both abroad and in the Parliament was considered success. George III. prevailed: not till his son's reign was the promise of Pitt fulfilled.

APPENDIX.



Short Biographies.

Abercromby, Sir Ralph (1754–1801).—Commanded a brigade in Holland under the Duke of York, 1792–5; Commander-in-Chief of the Forces in the West Indies till 1796, when he was appointed Commander-in-Chief in Ireland. “The manner in which the troops have been employed would ruin,” he said, “the best in Europe.” He reorganized the yeomanry, but did not get on with Camden, Lord-Lieutenant, resigned in April, 1797, and was succeeded by General Lake. He again served under the Duke of York in Holland, 1799, and later conducted expeditions to Cadiz and Egypt. He completely routed the French at *Aboukir*, March 21, 1801, where he lost his life. His widow was created Baroness Abercromby of Aboukir.

Ashburton, John Dunning, First Lord (1731–1783).—A barrister who ably defended Wilkes in 1763 on the ground of the illegality of general warrants. Four years later became Solicitor-General, but resigned in 1770 and joined Chatham in the attack on Grafton’s Ministry, which caused its collapse. Vigorously opposed Lord North: *e.g.*, he maintained the lawfulness of the Middlesex Election (1769), attacked the Test Act, and in January, 1774, presented to the Privy Council the *Massachusetts Petition* against Hutchinson. Was Chancellor of the Duchy of Lancaster in the Second Rockingham Ministry of 1782, and was raised to the peerage shortly before his death.

Auckland, William Eden, First Lord (1743–1814).—Called to the bar in 1769, he published his *Principles of Penal Law* two years later, advocating penitentiaries and the substitution of hard labour for transportation. In 1776, he was appointed to the Board of Trade, was one of the commissioners who arranged terms with the Colonists in 1782, negotiated a Commercial Treaty with France in 1785, and then served as ambassador to Spain and Holland. Though he failed to avert war by his negotiations with Dumouriez in 1793, he was raised to the peerage. In 1800 he actively promoted the Union with Ireland—with whose government he had been connected—but helped to influence the King against countenancing Pitt’s proposed measure of Catholic Relief in Ireland.

Baird, Sir David (1758–1829).—A prisoner in the hands of Hyder Ali, of Mysore, from 1780–4, he led the storming party at Seringa-

patam in 1799. With troops from India, he completed Abercromby's work in Egypt by compelling Menou to capitulate at Alexandria (August 27, 1801). In 1805 he reduced the Cape of Good Hope and formed it into a colony, and in the winter of 1808-9 shared the difficulties of Sir John Moore's retreat into Corunna.

Beckford, Alderman (1708-1770).—A wealthy West Indian planter and City merchant, who was Lord Mayor of London two years running, 1768-9. He was a strong supporter of Chatham, and friend of Wilkes. As a member for the City, he introduced a measure of Parliamentary Reform in 1768, and in the same year headed an attack on the Grafton Ministry which brought him into conflict with the King. Was father to the author of *Vathek*.

Bedford, John Russell, Fourth Duke of (1710-1771).—Succeeded to the title in 1732; a warm opponent of Walpole; First Lord of the Admiralty in the *Broad-Bottom* Administration, 1744-8; and successor to Chesterfield as Secretary for the Southern Department till 1751; Lord-Lieutenant 1756-61; and plenipotentiary in the negotiations for the *Peace of Paris*. Towards the end of 1763 he became President of the Council in the Grenville Ministry which, till its fall in 1765 owing to its conduct in the matter of the *Regency Bill*, was called by his name. Annoyed by their part in the repeal of the *Stamp Act*, he would not listen to the overtures of Grafton and Chatham, and spent the rest of his life out of office. He knew something of political economy; he was very unpopular; and he was virulently attacked by "Junius" as "the possessor of a name glorious till it was yours." His section of the Whigs was known as the *Bloomsbury Gang*.

Burgoyne, John, Lieut.-Gen. (1730-1792).—"A man of wit, fashion, and honour, an agreeable dramatic writer, an officer whose courage was never questioned, and whose skill," says Macaulay, "was highly esteemed" at the time when he sat as Chairman of the Committee of Enquiry on Clive (1768). He lost this reputation by his disastrous surrender at *Saratoga* (October 17, 1777). He threw the blame on the Ministry for inadequately supplying him, and was; in 1779, dismissed from the army. He was reinstated in 1782 by Rockingham, and made Commander-in-Chief in Ireland.

Burke, Edmund (1729-1797).—Born at Dublin and educated at Trinity College, he abandoned the bar for literature, his *Origin of our Ideas on the Sublime and Beautiful* being especially praised. When Rockingham became Premier in July, 1765, he took Burke as his secretary. Throughout his parliamentary career—which also began in 1765—he stood up for constitutional order and liberty: hence he advocated the rights of electors, the freedom of the press, and the American taxation-representation doctrine; while he condemned General Warrants and the French "Regicides." In 1780 he brought forward a Bill for Economical Reform, which was rejected. Two years later he became Paymaster of the Forces in Rockingham's second Administration; but, on his friend's death in

July, left the Ministry, returning however to the same office when the Coalition Ministry replaced Shelburne's in April, 1783. Burke had a large share in Fox's *India Bill*, on which the King managed to wreck the Coalition; and his acquaintance with Indian affairs led to his being appointed, in 1788, principal manager in the impeachment of Warren Hastings, which he had induced the Commons to commence. Before the verdict of acquittal was given, seven years later, Burke had published his *Reflections on the French Revolution* (Nov., 1790), and formally quarrelled with his old friend Fox—as enthusiastic a champion of the Revolution as Burke was an assailant. He died without ever having filled high office, so his practical statesmanship cannot be tested; but “no one that ever lived used the general ideas of the thinker more successfully to judge the particular problems of the statesman” (*John Morley*).

Camden, Charles Pratt, First Earl (1713–1794).—Attorney-General under the Pitt-Newcastle Ministry, he was advanced to be Chief Justice of Common Pleas in 1761. In 1763 he ordered Wilkes to be released on the ground of privilege of Parliament, and in several cases about this time decided against the legality of General Warrants. He held the Great Seal from July, 1766, to January, 1770, resigning because he differed from his colleagues on the Middlesex Election question. He was Lord President in the Second Rockingham and Pitt Administrations: during the latter period he took charge of the *Regency Bill* in the Upper House, and actively supported Fox's *Libel Bill* (1793). He had been made Baron Camden in 1765; in 1786 he received his earldom.

Camperdown, Adam Duncan, First Viscount (1731–1804).—Served under Keppel in the Mediterranean, 1749, at Goree, 1758, at Belleisle and Havana, 1761; went with Rodney in 1779, and with Howe in 1782, to the relief of Gibraltar. Became Rear-Admiral in 1787, and was appointed to the command of the fleet in the North Sea, 1794. During the Mutiny at the Nore (in the spring of 1797) he blockaded the Dutch fleet at the Texel with but two ships, and later in the year (October 11th) completely defeated it off *Camperdown*, capturing half De Winter's fleet of sixteen sail-of-the-line. Two years later he retired into private life with his title.

Castlereagh: see LONDONDERRY.

Chatham, William Pitt, First Earl of (1708–1778).—The grandson of an early Governor of Madras. He entered Parliament in 1735 as member for the pocket-borough of Old Sarum, and was rewarded for his vigorous onslaughts on Walpole with a post in the household of the Prince of Wales. He was Paymaster of the Forces with the Pelhams from 1746 to the death of Henry Pelham in 1754, when he refused to be a party to Newcastle's subsidizing foreign policy. He was a Secretary of State during Devonshire's brief tenure of power, and though the King tried hard to get rid of him in April 1757, he had to take him back under Newcastle's nominal leadership. Pitt now threw himself heart and soul into

the Seven Years' War, subsidized Frederick of Prussia, conquered Canada, &c., when the accession of George III. changed his position, and in October, 1761, he resigned. He vehemently opposed Grenville's Colonial policy, and on the fall of the Bedford Ministry (July, 1765) was pressed to form an Administration. He declined on the ground that Temple, his brother-in-law, would not join him, but helped Rockingham to repeal the *Stamp Act*. In July, 1766, he accepted the Privy Seal under the Duke of Grafton and was created Earl of Chatham, thus losing much of his immense popularity as the *Great Commoner*. His long illness made him unable to take an active part in affairs, and in 1768 he resigned. His attacks resulted in the downfall of the Grafton Ministry, and from that time till his death on May 11th, 1778, he steadily opposed Lord North's general policy, especially as regards America. His attitude on this question is thus stated in a speech of January, 1775:—

“to secure to the Colonies property and liberty, and to ensure to the Mother-country a due acknowledgment on the part of the Colonies of their subordination to the supreme legislative authority and superintending power of the Parliament of Great Britain.”

Clare, John Fitzgibbon, Earl of (1748–1802).—A Tory upholder of the *Protestant Ascendancy* in Ireland, who began life as a rival of Grattan at T.C.D., and was continually in opposition to him as a Whig maintainer of Roman Catholic claims. He spoke against the vote of thanks to the Volunteers, 1782, and against Flood's *Reform Bill*, 1784; fought a duel with Curran, 1785; was made Chancellor of Ireland, 1789; was the chief means of bringing about the recall of Lord Fitzwilliam in 1795; practically ruled Ireland under Lord Camden, 1797–8; had the ear of Pitt, and heartily supported the Union, 1800. Was called, by Lord Cornwallis, “by far the most moderate and right-headed man in the country.”

Clive, Robert, Lord (1725–1774).—A sketch of his work in India is contained in Chap. III., §§ 5, 6. “From his first visit [1744–1752] dates the renown of the English arms in the East; from his second [1756–60], the political ascendancy of the English in that country; from his third [1765–7], the purity of the administration of our Eastern Empire” (*Macaulay*). He necessarily left much to successors to do, and much that he did was misunderstood. He was violently attacked on his return; and though Parliament voted that “Lord Olive had rendered great and meritorious services to his country,” he committed suicide in November, 1774. It was not his first attempt.

Conway, Henry Seymour, Marshal (1720–1795).—Entered Parliament for Higham Ferrers in 1741; second in command to Sir John Mordaunt in the disastrous Rochefort Expedition of 1757; dismissed from all his posts in 1762 for his opposition to general warrants, &c.; a Secretary of State in the First Rockingham and Grafton Ministries, 1765. He disliked the latter's American policy, and in 1769 resigned on the Middlesex Election Question, for he

could no longer "provide respectability for the whole Administration." Appointed Governor of Jersey in 1772, and Commander-in-Chief of the Forces ten years later. His motion to terminate the Colonial War, which, when brought forward in February, 1782, was lost by but one vote, was carried a few months later by nineteen votes. Brave in action, in politics he was irresolute.

Cook, Captain James (1728-1779).—Began life as a common sailor; distinguished himself at Quebec in 1759; surveyed the coasts of Newfoundland and Labrador, which brought him before the notice of the Royal Society, through which he was put in command of the three great voyages of exploration "which formed the great geographical event of the century" (*Keith Johnston*). (1) August, 1768—June, 1771: Plymouth *viâ* Cape Horn to Tahiti (where the transit of Venus was observed), New Zealand (unvisited since Tasman, 1643), discovered and sailed along the Eastern coast of New Holland (*Australia*), which he called *New South Wales* and took possession of for Great Britain, and proved to be separated from New Guinea by sailing through Torres Strait; back *viâ* Java and Cape of Good Hope. (2). 1772-1775: with the *Resolution* and *Adventure* in unsuccessful search for the *Terra Australis Incognita*, supposed to lie round the S. Pole. (3). 1776-1779: for the Admiralty in search of a N.W. Passage to India (£20,000 reward offered by Government): assailed it from Behring's Strait instead of, as usual, from Davis Strait, but, being turned back by ice, explored and named, after the then First Lord of the Admiralty, the *Sandwich Islands*, where he was killed, on Hawaii.

Coote, Sir Eyre (1726-1783).—Served against the Jacobites in the *Forty-Five*, took the command in S. India, 1759 (the year after Admiral Pocock's momentous repulse of Lally from Madras); defeated Lally at *Wandewash*, January, 1760, and captured and destroyed Pondicherry a little later. In 1769 appointed to the Chief Command of the Company's forces, he returned to England next year. Sent out again in 1780 to retrieve our fortunes in the Hastings' Maharratta War, he was turned aside to meet the more pressing danger from Mysore. He defeated Hyder Ali thrice in 1781 (especially at *Porto Novo*, July 1st, and *Polilore*, August 27); was unsuccessful in the following year when Hyder Ali was backed by Suffrein's French fleet, and died early in 1783.

Cornwallis, Charles, First Marquis (1738-1805).—Governor of the Tower in 1770; distinguished himself at the *Brandywine* (1777); conducted two successful campaigns in the Carolinas 1780-1, but was blockaded and forced to surrender at *Yorktown*, October 19, 1781. Returning to England, he and Clinton wrote pamphlets to prove each other the cause of the disaster. As Governor-General and Commander-in-Chief of Bengal (1786-93), he made the *Permanent Settlement*, which pretended to settle the difficulties in Bengal land-tenure, effected many judicial and fiscal reforms, concluded a Triple Alliance with the Mahrattas and the Nizam against Tippu

of Mysore, whom he defeated at *Arikera* (May 13, 1791) and forced to sign the *Treaty of Seringapatam*, 1792. On his return home, he was given diplomatic work, until he became Lord-Lieutenant of Ireland in 1798, just after the Battle of *Vinegar Hill*. He tried to put a stop to the cruelty against those who had taken part in the *Ninety-Eight*; and promoted the Union, though he did not approve of the methods whereby it was brought about. He resigned in 1801. Four years later he returned to India as Governor-General, pledged to a policy of peace and concession at all costs, but died at Ghazipur in October.

Cumberland, William Augustus, Duke of (1721-65).—The second son of George II., he was wounded at *Dettingen*, and distinguished at *Fontenoy*. After the latter, he was recalled to oppose the "Young Pretender," but was out-manœuvred at Lichfield in 1745. For his complete victory over the Highlanders at *Culloden* (April 26, 1746,) he was given the sobriquet of the *Butcher* and a pension of £25,000 *per annum*. He was defeated at *Laufeld* 1747, and ten years later shattered his military reputation by being forced to submit to the *Convention of Closterseven*. He was of use to George III. in getting rid of the Bedford Ministry in 1765, and died shortly afterwards—"the only member of the royal family who possessed any remarkable ability" (Lecky).

Curran, John Philpot (1750-1817).—A brilliant Irish barrister who took silk in 1782 and entered the Irish House of Commons next year. He incurred the hostility of Fitzgibbon (later Lord Clare), Attorney-General, who nearly ruined his practice. He bitterly opposed the Union, was made Master of the Rolls by Fox, 1806, and committed suicide at Chelsea, 1817. "At the Irish bar, there is no man, not merely next him, but near him."

Dashwood, Sir Francis (died 1781).—"From puzzling all his life at tavern bills, he was called by Lord Bute [1761] to administer the finances of a kingdom above one hundred millions in debt" (*Wilkes*). For this—his only appearance in politics—he was rewarded with the title of Baron le Despencer. He was the hero of the famous orgies at Medmenham Abbey, whose maxim was *Fay ce que voudras*!

Duncan: See CAMPERDOWN.

Dundas: See MELVILLE.

Eldon, John Scott, First Earl (1751-1838).—Of humble birth he obtained a fellowship at University College, Oxford, and was called to the bar 1776. Thanks to Lord Thurlow, he entered Parliament, opposed Fox's *India Bill*, 1783, and helped Pitt in his great struggle soon after. For this Pitt made him Solicitor-General in 1787, and Attorney-General 1793, in which capacity he prosecuted Hardy, Tooke, &c., who were successfully defended by Erskine. Became Chief Justice of Common Pleas 1799, and held the Great Seal 1801-1806 and 1807-27. In that capacity he did much to harmonize Equity, instituted the Vice-Chancellorship, and on the other side won for Chancery a reputation for slowness. Throughout

bitterly opposed Catholic Emancipation: hence his resignation when Canning became Premier.

Erskine, Thomas, Lord (1750-1823).—Entered the navy at fourteen, the army at eighteen, and at Lincoln's Inn in 1775. He made a brilliant defence of Keppel in Court-martial (for his action off Ushant) in 1779, and of Lord George Gordon next year. Constantly asserted the rights of juries in libel cases, and steadily opposed the doctrine of constructive treason in the trials of 1794; supported the *India Bill* of Fox, whom he greatly admired, and who made him Lord Chancellor in the short-lived *Ministry of All the Talents*, 1806-7.

Fitzgibbon: see CLARE.

Flood, Henry (1732-1791).—Educated at Dublin and Oxford, he entered the Irish Parliament for Kilkenny, his birthplace, in 1759, and was the leader of the Opposition to the Castle—especially in attacking the Pension List, asserting the independence of the Irish House in Money Bills—until in 1774 he accepted a sinecure Vice-Treasurership (salary, £3,500) from the conciliatory Lord-Lieutenant, Harcourt. He left the Government in 1781, having advocated Free Trade and attacked the Castle expenditure; but he now quarrelled with Grattan, who had taken his place as leader of the Irish National Party, and nearly had a duel with him. He tried to make use of the Volunteers to force through his *Reform Bill* of 1784, but was unsuccessful, as was also his Reform Bill in the English Parliament, 1790. He was a great, but somewhat laboured, speaker. Unlike Grattan, he was opposed to taking the Roman Catholics into political partnership.

Fox, Charles James (1749-1806).—Second son of Henry Fox, Lord HOLLAND (*q.v.*); educated at Eton and Oxford, a Junior Lord of the Admiralty, 1770, and later on the Treasury Board. He however soon resigned, and became a fellow opponent with Burke of Lord North's Administration. On the latter's fall, he became Secretary of State to Rockingham, 1782, as also in the next year in the Coalition Ministry, which was wrecked on his *India Bill*. He headed the factious opposition to Pitt, 1783-4, which ended in seating Pitt so firmly in power. In particular, he opposed his rival's Irish and Indian policy; during the King's illness, 1788-9, asserted his friend the Prince of Wales's *right* (later amended to *legal claim*) to the Regency; and warmly espoused the cause of the French Revolution, which set him at loggerheads with Burke. He carried a beneficial *Libel Bill* in 1792, but failed to avert the *Seditious and Treasons Bills*, 1795. On the resignation of Addington, 1804, Pitt wanted Fox to join him, but yielded to the King's dislike of Fox. From January, 1806, till his death on September 13th, Fox was Foreign Secretary, and as such found himself obliged to continue the war with France. Whilst he was trying to negotiate peace, Napoleon was closing on Prussia, which was crushed at *Jena*, in October. He was very straightforward in his political life.

Francis, Sir Philip (1740–1818).—A bitter opponent to Warren Hastings, both in Council (1774–1781) and afterwards at home in Parliament (Ch. iv., §§ 9, 10). “If ever any one deserved death for treason to his country and disloyalty to his chief, it was the very clever and very venomous scoundrel, whose *alias*, though it makes some people mad to hear it, was *Junius*” (*Saturday Review*, Nov. 15th, 1890). [The letters of “Junius” appeared in the *Public Advertiser* from Nov. 21st, 1768, to Jan. 21st, 1772.]

Grafton, Augustus Henry, third Duke of (1735–1811).—Educated at Westminster and Peterhouse, Cambridge, he became duke in his twenty-third year. He was, like two other peers, dismissed from his lord-lieutenancy for opposing Bute’s Peace of 1763; Secretary of State with Rockingham during the latter half of 1765; and had a troublous time as First Lord of the Treasury, his Privy Seal Chatham being too ill to help him, from 1766–1770. He was himself Privy Seal 1771–75, under Lord North, and again under Rockingham, 1782. On Shelburne’s accession to power he retired from political life. He was more earnest in hunting, horse-racing, &c. than in politics, and was the “pillow” of Junius’ “resentment.”

Granby, John Manners, Marquis of (1721–1773).—Eldest son of the third Duke of Rutland; partly retrieved the loss at *Minden* (August 1st, 1759) caused by his chief Lord George Sackville’s refusal to obey the orders of Ferdinand of Brunswick; attacked the Grafton Ministry; and by his death in 1773 relieved Lord North of an opponent whose wide popularity—witness the number of public-houses dedicated to him—made him formidable. As a general, he was, says Macaulay, “honest, generous, and as brave as a lion, but had neither science nor genius.”

Grattan, Henry (1750–1820).—Born in Dublin, and educated at Trinity College, Dublin, he was in 1772 called to the Irish bar, and three years later took his seat in the Irish Commons as member for Charlemont. He at once began to contend for the independence of the Irish Parliament, at first in economical matters, later in all. He threw himself into the Volunteer movement; in 1782 got his *Declaration of Rights* accepted by the Volunteer Convention of Dungannon, by the Irish Parliament, and by the Home Government, who caused the English Parliament to repeal *Poyning’s Law* and the *Declaratory Act* of 6 Geo. I. He differed from the old Irish leader, Flood, in thinking that further reform should not be pressed on just then, and, Protestant as he was, that political power should be restored to Roman Catholics. In this magnanimous policy all Ireland seemed for the moment to agree, and in 1793 the franchise was bestowed on Roman Catholics. Their entire emancipation was expected to follow, when, in 1795, the Whig Fitzwilliam came over as Lord-lieutenant, and Grattan introduced the requisite bill. But Pitt squashed it, and Grattan had to sit helpless during the disorder of the following years. He warmly opposed the Union, but sat in the united Parliament for Dublin, 1805, and was buried in Westminster Abbey, respected by all parties.

Granville, John, Lord Carteret, Earl (1690-1763).—Distinguish from

Grenville, George (1712-1770).—See Tree, p. 79. Entered Parliament as member for Buckingham, 1741; a Junior Lord, at first of the Admiralty, later of the Treasury, under the Pelhams, 1744-54; Treasurer of the Navy under Newcastle; and Secretary of State in the Administration of Bute, who, on his resignation in April, 1763, recommended Grenville to the King. His administration Macaulay was "inclined to think the worst administration that has governed England since the Revolution." He was disliked by the King, who tried hard to turn him out at the end of the year, but not being able to come to terms with Pitt, had to submit to him again with Bedford at his back, and only succeeded in getting rid of him for his arbitrary conduct over the *Regency Bill* in July, 1765. He made himself very unpopular by the way he attacked Wilkes. He deliberately took up the plan of taxing the Colonies which Walpole had left to one "bolder than I." Lord Rockingham undid his work, and Grenville died five years later, soon after carrying his *Elections Bill*. Macaulay puts him in strong contrast to Chatham, with whom he quarrelled over America, but was reconciled in 1769:—

"Pitt knew nothing accurately except Spenser's *Fairy Queen*: Grenville was by nature and habit a man of details. . . . Pitt was utterly regardless of money: Grenville, though strictly upright, was grasping and parsimonious. . . . Pitt could see nothing but the trophies: Grenville could see nothing but the bills."

Grenville, Richard (elder brother to George).—See TEMPLE.

Grenville, William Wyndham, Lord (1759-1834).—Third son to George. Educated at Eton and Christ Church, Oxford; M.P. for Buckingham, 1782; succeeded Burke as Paymaster-General two years later; Speaker for a few months in 1789; then Home Secretary till he was created a peer next year, when he was transferred to the Foreign Office (1791-1801). He was like his cousin Pitt (tree, p. 79) "only more so": he would have no peace with France; he moved the repressive *Treason Bill* of 1795; he declined to serve in Pitt's Second Ministry (1804-6), because it was pledged not to raise Catholic Emancipation. On Pitt's death he formed the *Ministry of All the Talents*, whose most conspicuous member was Fox, and whose most important measure was Howick's *Act for the Abolition of the Slave Trade*. Before the royal assent was given to this Grenville resigned, March, 1807, the King being absolutely determined not to approve a small measure removing the disabilities which prevented Catholic and Protestant Nonconformists from serving as officers in the army or navy. Later, he twice refused office—in 1809 and 1812—because of George III.'s fixed notions on this subject.

Halifax, George Montagu Dunk, Fifth Earl of (d. 1771).—Lord-Lieutenant of Ireland, then Secretary of State under Bute, 1761-3; as one of the *Triumvirate*, was deeply implicated in the

affairs of Wilkes, the *Stamp Act* and the *Regency Bill*; but though very offensive to the King on this last count, was Secretary of State for a year under Lord North.

Hastings, Warren (1732-1818).—The son of a Worcestershire gentleman, he went out at the age of eighteen as a writer in the service of the East India Company, attracted Clive's attention, became a member of the Council at Madras, 1762, and ten years later Governor-General of Bengal. His Indian career and its results are sketched, Chap. iv., §§ 9-12. Mr. Forrest's researches in the Bengal State Papers tend to justify Hastings' actions almost throughout, and put him in a much more favourable light than Macaulay placed him. Quite distinct from

Hastings, Francis Rawdon, Lord Moira, First Marquis of (1754-1826), Governor-General, 1813-26.

Hawke, Edward, Lord (1705-1781).—Attained the rank of captain in the Navy, 1734; distinguished himself at Toulon, 1744; became Rear-Admiral and defeated a French fleet off *Belleisle*, October 25th, 1747; and served in Nova Scotia, 1749. In 1755, captured many French vessels in the Channel before war was declared; sent to the Mediterranean after the loss of Minorca, in 1756; in 1757, joint commander of an expedition against Rochefort which his colleague, General Mordaunt, ruined; and commanded the blockading squadrons in the Bay of Biscay, 1758-9, in the latter year defeating, under exceptional difficulties, the Toulon fleet under Conflans off *Quiberon* (November 20th). He was rewarded with a pension of £1,500 a year; became First Lord of the Admiralty, 1765, and was raised to the peerage eleven years later.

Holland, Henry Fox, First Lord (1705-1774). The father of C. J. Fox(*q.v.*), he was a Commissioner of the Treasury under the Pelhams, and, after Granville's failure to form a Ministry, 1746, Secretary at War. On Pelham's death (1754) Newcastle had some difficulty about a leader for the Commons; his love of power made him unwilling to promote either of the possible men, Pitt and Fox, who accordingly united to attack the nobody, named Robinson, appointed to be their leader, until Fox was persuaded to accept the leadership, and, a year later, a portfolio. Fox resigned in 1756, fearful of being made a scapegoat for the loss of Minorca. Newcastle soon followed his example, and the King sent for Fox, who, unable to induce Pitt to join him, could not form an Administration. He occupied the lucrative post of Paymaster of the Forces under the Newcastle, Pitt, and Bute Administrations: in the latter his "Pay Office became a mart for votes." But though he once, it is said, paid away £25,000 to members in a single morning, he failed, resigned with Bute in 1763, and retired to the Upper House. He was a practised debater, and amiable in private life; but, says Macaulay, "as a public man he had no title to esteem."

Hood, Samuel, Viscount (1724-1816).—Entered the Navy, 1740; served under Rodney at Havre, 1759; created a baronet, 1778, and

rear-admiral a few years later; did good service in the West Indies, 1780-2, both in conjunction with, and apart from, his chief, Rodney; took a leading part in Rodney's saving victory over the Comte de Grasse, April 12th, 1782, off Dominica, for which he became Baron Hood in the peerage of Ireland. An M.P. in 1784; on the Admiralty, 1786; captured and lost Toulon, 1793; transferred to the English peerage, 1796.

Howe, Richard, First Earl (1722-1799).—Entered the Navy at fourteen, served under Anson, Boscawen, and Hawke (1758-9). In 1758, succeeded to his brother's estates and title of Viscount Howe, and destroyed Cherbourg, but failed at St. Malo. Was a colleague of his brother in the American War, from 1776 till 1782, and on his return relieved Gibraltar. First Commissioner of the Admiralty, 1783-1788 (except during the *Coalition* Ministry); retired with the title of Earl; as commander of the Channel Fleet he inflicted a crushing defeat on Bon St. André and Villaret-Joyeuse on the "Glorious 1st of June" (1794). Three years later he showed great tact in putting down the Mutiny at Spithead. The sailors liked him and called him *Black Dick*.

Howe, Sir William (d. 1814).—As chief commander in America, he won the battles of *Bunker's Hill* (1775) and *Brandywine* (1777). He moved his seat of operations from Boston to New York, and thence to Philadelphia, and was recalled in 1778 at his own request.

Keppel, Augustus, Viscount (1725-1786).—His first commander in the Navy was Anson; served under Hawke at Goree, Quiberon, &c., 1757-9; captured Belleisle, June 7th, 1761, and Havana in the following year. He was First Lord of the Admiralty under Rockingham, 1765-6. In 1778, when he was commanding the Channel Fleet, he made a *fasco* off *Ushant*, the blame of which Keppel cast on his second in command, Palliser. It was made a party question, and so Keppel was got off by the Whigs. He was again First Lord for some time in 1782-3. He was not reputed a brilliant man.

Lake, Gerard, Viscount (1744-1808).—Served with distinction in Germany during the Seven Years' War; in America, under Cornwallis; and in Flanders, 1793. As second in command to Lord Carhampton, he disarmed Ulster with great cruelty in March, 1797, capturing 70,000 muskets, 72 cannon, and 70,000 pikes. He was out of favour during the command of Abercromby, whom he superseded in 1798. He then proceeded to disarm the South, and crushed the rising which thereupon broke out at *Vinegar Hill*, June 21st; he was defeated for the moment at *Ballina* two months later by the newly-arrived French troops under General Humbert. He took a leading part in the Third Mahratta War, 1803-5, capturing Allyghur and Delhi, and defeating Sindhia at *Laswari* (Nov., 1803). For these services he was made a peer.

Landsdowne, William Petty, Marquis of (1737-1805).—Distinguished himself at *Minden*, 1759; entered Parliament for the

family borough of Wycombe, 1761, but was shortly afterwards called to the Upper House by the death of his father, the Earl of SHELBURNE. Here he at first sided with Bute, who made him President of the Board of Trade, but soon joined the Opposition, and in 1766 became Secretary of State in the Grafton Ministry. Two years later he was removed at the request of the King, who however looked first to him in 1782, after the fall of Lord North, to form a Ministry. He would not accept the task till after the death of Rockingham, whose Secretary of State he was at the time, and his Administration (July, 1782, to Feb., 1783) had soon to give way to the *Coalition*. He was raised a stage in the peerage next year. He was somewhat irregular in his work, and was reputed insincere. He has been described as "the first British statesman to comprehend and advocate the great principles of Free Trade."

Loughborough, Alexander Wedderburn, Lord (1733-1805).—Called to both the Scotch and the English bars, he defended Wilkes' election in 1769, but joined Lord North two years later. He defended Clive in 1773, supported his chief's American policy (giving mortal offence to Franklin early in 1774), and was advanced from being Solicitor-General to Attorney-General in 1779; became Chief Justice of the Common Pleas, with the title of Lord Loughborough, in 1780; and four years later, disgusted at Pitt's appointment of Lord Thurlow as Lord Chancellor, threw himself into the arms of Fox, whose side he took in the Regency Question, 1788. A few years later helped to bring the Portland Whigs into Pitt's Cabinet, and was rewarded with the Great Seal, 1793. He promoted the repressive measures of 1794, but refused to follow Pitt in his advocacy of Catholic Emancipation, against which he had succeeded in poisoning the King's mind. In 1801 his treachery caused the dismissal of Pitt, whose successor, Addington, bribed him to retire with the Earldom of Rosslyn.

Londonderry, Robert Stewart, Viscount, Earl of (1769-1822).—The son of the First Marquis of Londonderry, he was educated at St. John's College, Cambridge, and entered the Irish Parliament as member for County Down. He was then known as Lord CASTLEREAGH. At first a Whig, after Lord Fitzwilliam's recall he changed sides; was Chief Secretary for Ireland in Cornwallis's time, and as such worked hard to bring about the Union. He forthwith became M.P. for Down in the united Parliament, and was in 1801 made President of the Board of Control by Pitt, and remained there until the fall of Addington in 1804. He then became War Secretary to Pitt, and again to the Duke of Portland 1807-9. His policy of starving the Peninsular War and the failure of his Walcheren Expedition led to a duel between him and Canning, the Foreign Secretary, September 22, 1809: both ministers resigned, and were followed by their chief. Was Foreign Secretary for a few months in 1812 under Perceval, and for the rest of his life under

Lord Liverpool, being in fact virtual Prime Minister. In 1816 he represented England at the Congress of Vienna. His sympathies with the *Holy Alliance* made him more and more distasteful to Parliament, and on August 12, 1822, he put an end to his life.

Melville, Henry Dundas, Viscount (1740-1811).—After a brilliant career at the bar became Lord Advocate in 1775; as such pushed the cause of Catholic relief for Scotland. He was Treasurer of the Navy under Rockingham, Shelburne, and Pitt, who, in 1788, made him President of the Board of Control. India was his special subject: he had introduced an *India Bill* in 1783, which was shelved to make room for Fox's Bill, and which formed the basis of his friend Pitt's *India Bill* of 1784, and in 1786 he defended Warren Hastings, on whom he had moved a vote of censure in 1781. He resigned with Pitt in 1801, and became a peer; was three years later made First Lord of the Admiralty in Pitt's Second Ministry; and in this office he displayed enormous activity, building 166 vessels in his first year. A vote of censure against him for culpable negligence in keeping his accounts as Treasurer of the Navy was carried by the Speaker's casting vote, April 8, 1805. He was consequently struck off the Privy Council and impeached, but was acquitted on all counts June 12, 1806. This—the latest example of impeachment—was also Melville's last appearance in public life.

Nelson, Horatio, Viscount (1758-1805).—The son of the Rector of Burnham Thorpe in Norfolk, he entered the Navy in 1771; took part in an Arctic Expedition two years later; was given the *Badger* in 1778; commanded an unsuccessful attack on San Juan, Panama, 1780, and was invalided home. In 1793 commanded the *Agamemnon* in the Mediterranean; three years later a commodore under Sir John Jervis, whose victory off *Cape St. Vincent* (February 14, 1797) he did much to secure, and was rewarded by elevation to the rank of rear-admiral. While blockading Cadiz, a little later, he lost an arm in a night attack on Santa Cruz; and on August 1, 1798, practically annihilated the French Egyptian Fleet at the Battle of *Aboukir* or *The Nile*. While supporting the Neapolitan Bourbons against the French, next year, he became entangled with Lady Hamilton. He served under Sir Hyde Parker at the first bombardment of Copenhagen, April 2, 1801, and later commanded the North Sea Fleet, when he attacked the French flotilla off Boulogne. He was closely blockading Toulon 1803-1804; and in January, 1805 he began to pursue the escaped fleet (intended to cover Napoleon's invasion of England), sailing from the Mediterranean to the West Indies, Spain, Ireland, and Portsmouth. He put to sea again at the end of August, and on October 21 defeated the combined French and Spanish Fleets under Villeneuve off *Trafalgar*, though they numbered thirty-three sail-of-the-line and seven frigates against his twenty-seven ships and four frigates. Twenty of the enemy had struck their flags before Nelson expired on his flagship, the *Victory*.

Newcastle, Thomas Holles, Duke of (1693-1768).—A Whig,

who became Lord Chamberlain, and was created duke in 1716; adhered to Sunderland and Stanhope in the schism of 1717, but returned to Townshend and Walpole in 1720, and four years later succeeded Carteret as Secretary of State—a position which he retained even during his intrigues against Walpole (who said “His name is perfidy”), and through the ministries of Wilmington and of his brother Henry Pelham. The brothers got rid of Carteret and Chesterfield, and worked harmoniously till 1751; on Pelham’s death in 1754, Newcastle succeeded him as First Lord of the Treasury, taking Henry Fox as leader of the Commons. He resigned in 1756 in consequence of his naval failures, but after eleven weeks’ interval returned to office with Pitt as War Minister, preferring Pitt to Fox, despite the King’s dislike of Pitt, because Fox was both unpopular and likely to interfere with his own jobbing department. In this Ministry, Horace Walpole says, “Pitt *does* everything; the Duke *gives* everything.” He clung to his position till May 1762, when he gave way to Bute (under whom he offered to serve); a few months later lost his lord-lieutenancy for opposing the *Peace of Paris*; his last office was Privy Seal to Rockingham, 1765–7. His chief characteristics are his court-craft, his doggedness, and the features thus sketched by Macaulay:—

“He was a living, moving, talking caricature. His gait was a shuffling trot: his utterance a rapid stutter; he was always in a hurry; he was never in time; he abounded in fulsome caresses, and in hysterical tears. His oratory . . . was nonsense effervescent with animal spirits and impertinence.”

North, Frederick, Lord (1733–1792).—Eldest son of the first Earl of Guildford—to which title he himself succeeded in 1790—he entered Parliament as member for Banbury in 1754, and five years later, thanks to his relative, Newcastle, became a Junior Lord of the Treasury. He was joint Paymaster of the Forces for a short time in 1766, and next year succeeded Charles Townshend as Chancellor of the Exchequer. On the resignation of Grafton in 1770, Lord North was sent for, and formed the twelve years’ Ministry, whose doings are recorded in Chap. II., §§ 14–23. In 1782 he retired to the Wardenship of the Cinque Ports, and next year he and his old enemy, Fox, were Secretaries of State together for a moment in the *Coalition* Ministry. Throughout his career he was full of tact and urbanity; but what kept him so long in power was less his political ability than his personal acceptability to the King, who kept him in power almost four years against his wish. In the last five years of his life he was blind.

Parker, Sir Hyde (1739–1807).—Captured Savanah, 1778; took part in the relief of Gibraltar, 1782, and the operations before Toulon, 1799. In his most famous command, at Copenhagen, 1801, his subordinate, Nelson, did the work.

Pitt, William (1759–1806).—Second son of the Earl of Chatham (*q.v.*), he went to Pembroke Hall, Cambridge, in 1773, and was called to the bar 1780. Later in that year he was elected M.P. for

Appleby, and next February made his maiden speech in support of Burke's measure for Economical Reform, and later in the year brought in a motion to reform parliamentary representation. He attacked North's Ministry, and supported Rockingham's, though he refused the Vice-Treasurership of Ireland. While Chancellor of the Exchequer under Shelburne, he quarrelled with Fox, thenceforth his chief rival; and in December, 1783, was summoned by the King to form a Ministry, in place of that ejected for bringing forward Fox's *India Bill*. He accepted, fought down an apparently overwhelming Opposition, and built up an Administration which, owing to the French Revolution, grew more and more "Tory" in tone, and whose story is told in Chap. III., §§ 6-14. He began with financial and other reforms, but after 1793 turned all his energies against revolution abroad or at home. He resigned in March, 1801, because George III. would not listen to the scheme for Catholic Relief to which he had pledged himself, but supported his successor, Addington, until after the *Peace of Amiens*. Soon afterwards he came forward to advocate the renewal of war with Napoleon, and in April, 1804, was called on to conduct it. He soon formed a *third Coalition* of the Powers against France (as he had done previously in 1793 and 1799), but though victorious at *Trafalgar*, October 21st, 1805, his policy was crushed by the rout of the Austrians at *Austerlitz*, December 2nd, and on January 23rd, 1806, Pitt died. He was less successful as a war minister than in his home policy—that is, his policy as it was till he became panic-stricken.

Portland, William Bentinck, Third Duke of (d. 1809).—Grandson of William III.'s friend, he was by birth a Whig, and was called on in April, 1783, to act as nominal head of the *Coalition* Ministry, which was dismissed in December by the King for promoting Fox's *India Bill*, &c. In 1792 he and his following began to act with Pitt; two years later he became Home Secretary (which meant continuance of the war with France, and a conciliatory policy for Ireland); stayed on as Lord President till ill-health obliged him to resign in 1804. His second Premiership—1807-1809—at first rested rather on the King's preferences than on the approbation of Parliament.

Pratt: see CAMDEN.

Rockingham, Charles Watson Wentworth, Marquis of (1730-1782).—Was one of those dismissed from lord-lieutenancies for opposing the peace negotiations of 1762. Though his principles—he became the recognised head of the Whigs on the death of Devonshire, 1764—were objectionable to the King, he was, George thought, better than the Bedford-Grenville domination, and was accordingly called upon to form an Administration in July, 1765. His Ministry was marked by the repeal of the Stamp Act, and of Grenville's unpopular Cider Tax, by the condemnation of general warrants, of the practice of taking away military commands on

purely political grounds; but it was not strong, and being unable to persuade Pitt to join him, Rockingham was dismissed in July, 1766. He held his party together during a long opposition to Lord North, whom he succeeded for a moment in 1782. He began the negotiations which ended, after his death, in the *Peace of Versailles*. His political ability, like his politics, was traditional. The best his admirer, Macaulay, can find to say for him is that he was "a man of splendid fortune, excellent sense, and stainless character." He was no speaker, and so was called by Lord Sandwich "a poor dumb creature."

Rodney, George Brydges, Lord (1718-1792).—A captain in the Navy, 1742; took part in Anson's victory off Cape *Finisterre*, 1747; Governor of Newfoundland, 1749. Actively engaged in the naval operations of 1757-59, bombarding Havre for fifty hours in the latter year; a rear-admiral of the Blue this year, and a baronet at the end of the war. Almost ruined himself in successfully contesting Northampton, 1768; relieved Gibraltar, defeating a Spanish fleet *en route*, January, 1780; sat with Fox for Westminster; won a decisive victory over the Comte de Grasse, off *Dominica*, April 12th, 1782, in which battle he introduced the manœuvre of breaking the enemy's line. For this he was given a peerage and a pension of £2000.

St. Vincent, John Jervis, Earl (1736-1823).—Entered the Navy when ten years old; promoted to be a commander after his services at Quebec, 1759; took a leading part in Keppel's engagement off Brest, 1778; and sat in Parliament, 1784-93. After serving in the West Indies, he took command of the Mediterranean Fleet and won a great battle over the Spanish fleet off *St. Vincent* (February 14th, 1797), hence his title. Appointed to the Channel Fleet in 1800, he threw it up next year to be First Lord of the Admiralty (1801-4), where, in the words of Fox's motion, "he gave an additional lustre to his reputation." He again commanded the Channel Fleet, 1806-7, and in 1821 was appointed Admiral of the Fleet.

Sandwich, John Montagu, Fourth Earl of (1718-1792).—A signatory to the *Treaty of Aix-la-Chapelle*, 1748; he became First Lord of the Admiralty on his return, but was dismissed by the Pelhams in 1751 as a Bedfordite. He was restored in 1763; became Secretary of State later and denounced his recent boon-companion, Wilkes; and in 1765 induced the King to strike his mother's name from the *Regency Bill*. For this he was dismissed, but took the Post-Office under Grafton, 1767, and his old post at the Admiralty, under Lord North. Despite his immense industry, he was not successful there, and in 1779 narrowly escaped a vote of censure. His virulent attack on Wilkes in 1764 won him the nickname *Jemmy Twitcher*, a character in the *Beggar's Opera*.

Shelburne: see LANDSDOWNE.

Sheridan, Richard Brinsley (1751-1816).—Born at Dublin and

educated at Harrow, he made a runaway match with a Miss Linley in 1772, wrote the four plays by which he is best known, and entered Parliament for Stafford, 1780. He was given Under-Secretaryships in the second Rockingham and *Coalition* Ministries, and made a great name as a debater in opposition to Pitt, who described his speech against Warren Hastings (concerning the Begums of Oudh) as "surpassing all the eloquence of ancient and modern times" (1787). He was a great friend of Fox, and of Fox's friend the Prince Regent; the former gave him the Treasurership of the Navy in his Ministry, the latter a lucrative post in his Duchy of Cornwall. He was generally in money difficulties.

Temple, Richard Grenville, Earl (1711-1779).—See Tree, p. 79. The elder brother of George Grenville, he entered Parliament in 1734 for Buckingham, but in 1752 succeeded to his father's earldom. His brother-in-law, Pitt, secured him the post of First Lord of the Admiralty in the Devonshire Administration (1756-7), and of Privy Seal in the Pitt-Newcastle Ministry (1757-61). In 1765 he sided with his brother against Pitt on the American *Stamp Act*, and refused to join his brother-in-law in forming a Ministry, 1766. After some years of bitter hostility, there was a reconciliation of "the three brothers" in 1768, but the hoped-for family ministry never came into being. Temple remained inactive during North's Ministry. As a politician he was, though able, a failure: he was selfish and untrustworthy.

Thurlow, Edward, Baron (1732-1806).—On being sent down from Caius College, Cambridge, in 1751, he entered at the Middle Temple, was given silk by Lord Bute in 1761, and took his seat as member for Tamworth. He acted as a strong Tory, *e.g.*, in opposing the legality of Wilkes's election, and became successively Solicitor-General (1769), Attorney-General (1771), and Lord Chancellor (1778). Despite his intrigues and party disloyalty, he remained on the woolsack, except during the *Coalition* Ministry, until 1792. He then acted openly against his late chief, hoping much from the Prince of Wales, but getting little. Despite his previous policy, he opposed the coercive bills of 1795. He was not a statesman, nor a good man, nor a great orator, though a noisy one; as Chancellor, he was reputed impartial, but not painstaking.

Wedderburn: see LOUGHBOROUGH.

Wilkes, John (1727-1797).—His political career is sketched in Chap. II., §§ 6, 7, 12, 13, 16.

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